



Security Council

Fifty-fifth Year

Provisional

4129th Meeting

Tuesday, 18 April 2000, 11.30 a.m.
New York

<i>President:</i>	Mr. Axworthy	(Canada)
<i>Members:</i>	Argentina	Mr. Mársico
	Bangladesh	Mr. Ahmed
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. Kooijmans
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Holbrooke

Agenda

The situation in Angola

Letter dated 10 March 2000 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council (S/2000/203).



The meeting was called to order at 12.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Angola

Letter dated 10 March 2000 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council (S/2000/203)

The President: I should like to inform the Council that I have received letters from the representatives of Angola, Belgium, Brazil, Bulgaria, Burkina Faso, Gabon, Mozambique, New Zealand, Portugal, Rwanda, Spain, Togo, United Republic of Tanzania and Zimbabwe in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

I welcome Mr. João Bernardo de Miranda, Minister for External Relations of Angola.

At the invitation of the President, Mr. Miranda (Angola) took a seat at the Council table; Mr. Adam (Belgium), Mr. Fonseca (Brazil), Mr. Sotirov (Bulgaria), Mr. Ouédraogo (Burkina Faso), Mr. Dangué Réwaka (Gabon), Mr. Dos Santos (Mozambique), Mr. Powles (New Zealand), Mr. Monteiro (Portugal), Mr. Mutaboba (Rwanda), Mr. Arias (Spain), Mr. Kpotsra (Togo), Mr. Mwakawago (United Republic of Tanzania), and Mr. Jokonya (Zimbabwe) took the seats reserved for them at the side of the Council Chamber.

The President: The Security Council will now resume its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a draft resolution prepared in the course of the Council's prior

consultations, which will be issued as document S/2000/323.

I should like to draw the attention of the Council to the following other documents: S/2000/225, letter dated 15 March 2000 from Gabon; S/2000/228, letter dated 15 March 2000 from Belgium; S/2000/230, letter dated 17 March 2000 from Portugal; S/2000/240, 267 and 315, notes verbales dated 22 and 29 March, and 13 April 2000, respectively, from Bulgaria; S/2000/249, letter dated 24 March from Burkina Faso; S/2000/252, letter dated 24 March 2000 from Uganda; S/2000/256, letter dated 24 March from Togo; and S/2000/283, letter dated 29 March 2000 from Rwanda. Members of the Council have received photocopies of a letter dated 17 April 2000 from Togo, which will be issued as document S/2000/326.

I call on Mr. Robert Fowler, Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola.

Mr. Fowler: Mr. President, I should like to thank you and the members of the Council who have agreed to this morning's innovative procedure.

In briefly introducing the draft resolution, which will shortly be formally issued, I would like to emphasize one point: the Security Council's sanctions against the rebel movement in Angola, UNITA, are now having real impact. The work of the Panel of Experts has contributed significantly to this welcome development. Once again, on behalf of the Council, I thank the Panel of Experts for the enormous contribution that they have made to our work. The Security Council's adoption of this substantial draft resolution will demonstrate its commitment to ensuring that the sanctions continue to have impact in curtailing UNITA's ability to pursue its objectives through military means.

The draft resolution would, among its many other features, put in place a seven-month process, at the end of which, in mid-November, the Security Council would consider appropriate action in relation to States it believed to be continuing to violate the sanctions against UNITA. During these seven months, interested States, including those mentioned in the report of the Panel of Experts, would have ample opportunity to bring relevant information to the attention of the sanctions Committee and to demonstrate their adherence to all the exigencies of the sanctions regime.

The draft resolution would also request the Secretary-General to establish the monitoring mechanism proposed by the Panel of Experts. It would be composed of five monitors whose renewable six-month mandate would be to collect relevant information, investigate relevant leads and verify information provided from all sources.

In deciding who had violated the sanctions and what to do about it, the Council would thus draw on three substantial bodies of information: first, the report of the Panel of Experts; secondly, the additional information made available by States; and thirdly, the reports of the independent monitoring mechanism.

The draft resolution before us does not name names or take action against alleged sanctions-busters. This should not be interpreted as any kind of exoneration of any State or States referred to in the report of the Panel of Experts. The purpose of the draft resolution is, instead, to provide all States with an opportunity to answer the allegations of the Expert Panel, to end sanctions violations where they have occurred, and to bring their actions into conformity with the clearly articulated will of the international community. Equally clearly, this draft resolution stipulates that the Council will not continue to stand idly by while its decisions are flouted.

My own hope is that the Security Council will not need to adopt such action. That said, the draft resolution before us makes clear the Council's willingness to adopt such measures if necessary.

A generation of Angolans has never known peace. The purpose of the sanctions against UNITA is to promote a durable political settlement of the three-decades-long conflict in Angola by requiring UNITA to comply with its obligations, which it freely undertook. The adoption of this draft resolution will constitute a reaffirmation of the Council's commitment to peace in Angola and a demonstration of our determination to use all of the levers available to us to bring about that peace.

Sir Jeremy Greenstock (United Kingdom): The fact that this draft resolution is being adopted today and that this discussion is taking place today already silently expresses much of the United Kingdom's message.

We all want to see an end to the decades of misery caused by the conflict in Angola. We all believe that the only way to achieve this is to deprive UNITA of the practical means to continue to wage war. We have all, in

previous Security Council resolutions, committed ourselves to sanctions on UNITA in order to achieve that goal.

When a leader and his organization in civil conflict reject peace and ignore the will of the majority of ordinary people, then sanctions are one of the few tools the United Nations has at its disposal to try to make them reconsider. Having decided on a sanctions regime, we must make it work.

I congratulate Canada and thank Ambassador Fowler for the impetus you, Mr. President, and he have delivered to implementation of United Nations sanctions on UNITA. This effort, and the work of the Expert Panel, both solidly supported in practice by the United Kingdom, have already sent an important message: that violators of sanctions will be pursued. UNITA now knows that, even before the Security Council has taken its decisions, law-breaking friends are harder to find, illegal supplies harder to secure and stolen diamonds harder to sell.

Making this draft resolution work will be tough going. It will require a new level of cooperation among Member States, and between Governments and the private sector. It will require technical expertise and political will. The United Kingdom will play its part. While all Member States are affected, the draft resolution places a particular burden on States neighbouring Angola. We very much welcome the commitment which the States of the Southern African Development Community have already expressed to follow up this draft resolution. That is in their interests, because peace in Angola would make a significant positive difference to the region. At the same time, we recognize the burden on them. Some of the measures needed, such as tightening up controls of borders and airspace, will not be easy to implement. As this draft resolution makes clear, the international community needs to consider how it can help.

Today's draft resolution addresses more than the achieving of peace in Angola. The text, the process which has led to it and, most importantly, the action which must follow from it, also send a forceful message about the seriousness of this Council's business. We must live up to it.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are happy to see you, Mr. Minister, once again sitting in the President's chair.

The protracted armed conflict in Angola is cause for very serious concern, for us and for the entire international community. As a member of the troika of observer States for the implementation of the Angola peace process, Russia confirms its consistent position that responsibility for the continuation of the conflict lies entirely with the leadership of UNITA, headed by Jonas Savimbi, who is refusing to comply with his commitments under the Lusaka Protocol and the demands contained in Security Council resolutions. Given these circumstances, we must further increase pressure on the military and political leadership of UNITA so as to make it comply with the demands of the international community, first and foremost to halt the fighting and return to the track of a political settlement.

Furthermore, we sympathize with the position of the Angolan leadership. We are pleased to welcome the Minister for External Relations of Angola to the Council Chamber today, and we sympathize with his position. Jonas Savimbi has so often broken his promises and agreements and acted in bad faith that he has now lost the right to participate in this process and can have no political future. Jonas Savimbi and his entourage have shown their indifference to the fate of the Angolan people. Because of his uncontrollable lust for power, hundreds of thousands have paid with their lives and borne the full weight of the humanitarian crisis in the country — a country whose subsoil could, indeed, yield prosperity for its people. Foreign citizens have often been victims of his organization, including those who have gone — some under the United Nations flag — to help the Angolan people in their time of trial.

For more than one year, UNITA has been holding prisoner citizens of the Russian Federation, one of whom has died. All these facts make clear that, in UNITA, the Security Council is faced with outright contempt for the will of the international community. There is a conscious, carefully premeditated policy to evade the sanctions introduced by the Council, which were designed to deprive the UNITA military machine of the financial, material and technical input that it needs.

Given these circumstances, therefore, it is of paramount importance to strengthen the effectiveness of control over the current sanctions regime against UNITA. The active efforts being made by the Security Council Committee established pursuant to resolution 864 (1993),

and the efforts of the Chairman of that Committee, Ambassador Fowler, have already had an important positive impact on ensuring greater respect for the sanctions against UNITA. We welcome the report to the Security Council of the Panel of Experts established pursuant to resolution 1237 (1999), and we participated actively in drawing up the draft resolution that we will be adopting today. Based on the recommendations of that Panel, it will help us to achieve the goals that we have set for ourselves.

We believe that implementation of the draft resolution will contribute to improving the effectiveness of control over the sanctions against UNITA, and it will help to close off the channels used by the leadership of that organization to preserve their ability to continue the war — a war that UNITA has imposed on the people of Angola.

Mr. Levitte (France) (*spoke in French*): At the outset, I should like warmly to welcome to the Council table the Minister for External Relations of Angola, Mr. Miranda.

The draft resolution that we will be adopting today reaffirms the Security Council's determination to ensure effective implementation of the sanctions against UNITA. Today, through this draft resolution, the Council will once again send a clear and firm message to Mr. Savimbi and UNITA to put an immediate end to hostilities and to finally fulfil their obligations under the Lusaka Protocol. My country fully endorses that message. Jonas Savimbi's overwhelming responsibility for the continuation of civil conflict in Angola and his refusal to take account of Council resolutions must be most seriously condemned.

We welcome the fact that, barely a month after the report of the Panel of Experts was issued, the Council will adopt a draft resolution taking on board more than three quarters of the recommendations made by those experts. The draft resolution covers a particularly wide range of issues, including the delivery of arms, fuel, trafficking in diamonds, financial resources and the travel of UNITA leaders. The recommendations put forward in this text are addressed first and foremost to Member States. But they also call for the active cooperation of a variety of players in a number of different arenas, including international and regional organizations, enterprises, professional organizations and experts. This is especially true for the provisions relating to the international diamond trade, the monitoring of financial resources and air transport. The effective implementation

of these measures is the responsibility of Member States, but they will have to ensure, in exercising their competency, the cooperation of all the actors concerned.

Each of us will have to support this effort. It will require not only the will, but the means. In many instances, the means are lacking. This is particularly the case with regard to the implementation of certain recommendations of the Panel of Experts, to be endorsed by the Council today, which are addressed in particular to the Southern African Development Community and its member States. The efforts of the countries concerned, especially those in Africa, will therefore have to be supported by the international community. If we are serious in our determination to ensure respect for sanctions, we must not confine ourselves to highlighting violations of sanctions. Naming and shaming is not enough. We must also provide tangible aid wherever it is needed.

The draft resolution would provide for the establishment of machinery for monitoring sanctions. It would also provide for the Council to assess the situation in six months on the basis of the work of the sanctions Committee. We hope that the sanctions Committee will engage in sustained dialogue with the member States in monitoring the implementation of sanctions, exchanging information and receiving their comments. Here again, our goal must be greater efficacy. If the noose around Jonas Savimbi and UNITA is truly to be tightened, we need cooperation and information from everyone. Only a united effort of the international community will allow us to block UNITA's revenue resources and supply of arms.

Since the report of the Panel of Experts was published, several States have announced steps taken to further investigate shortcomings and, in some cases, correct them. The French delegation welcomes these initiatives, which have clearly already begun to bear fruit. We hope that the Council and the sanctions Committee will be able to acknowledge these efforts in due course. If the embargo has been violated in the past, it is indeed essential that these failings no longer occur and that the sanctions Committee be apprised in real time of any fresh sanctions busting.

We feel that this constructive, pedagogical and united approach, built entirely around the central objective of the full international isolation of Jonas Savimbi and UNITA, will ultimately prove far more productive than a repressive one. In this context, it does not appear to us that the creation of new sanctions against countries that have allegedly violated the old will provide a real solution. It is

not by increasing the number of pariah States that we will encourage them to reform their ways, nor would the exponential growth in the number of existing sanctions regimes fail to create management problems at the very moment when we are already having enough trouble enforcing the nine embargoes currently in place. The criteria for choosing violator countries could be subject to numerous challenges. The authority of this Council could well emerge reduced. The draft resolution before us today holds out no such prospect, of which we are glad.

Finally, we hope that the sanctions Committee will, in cooperation with the monitoring machinery, manage to build on the work of the Panel of Experts and to clarify certain information contained in the report submitted by Mr. Mollander. Last March, my delegation raised the issues that we felt needed to be actualized. It would be equally useful for the sanctions Committee better to appreciate the respective importance of UNITA's various supply networks. This, again, is in the interests of achieving efficacy. If we wish to strengthen the implementation of sanctions, we must do so first and foremost by identifying the main channels through which UNITA receives its arms and acquires its resources.

Mr. Holbrooke (United States of America): I thank you once again, Mr. President, for coming from far-away Canada to chair this important meeting. I am delighted to see that you have some members of the Canadian legislature here with you today. We have been lucky enough to have had many members of the United States Congress here with us in the past six months. I am delighted whenever I see members of any national assembly or legislature here. I think it is the essence of the strengthening of the United Nations to do this and I welcome your colleagues from the legislative branch.

The United States will be very pleased to vote in favour of the important draft resolution before us today. We commend Ambassador Fowler, his delegation and the entire Government of Canada for their sustained dedication to this task. Bob Fowler has proved that one can be extremely methodical and very careful, and still accomplish something in the United Nations. I congratulate him for his diligence, his perseverance and his persistence. The Canadian delegation and Ambassador Fowler have set a standard by which other sanctions regimes against non-state actors will be judged.

Our Government has worked closely with the sanctions team under Ambassador Fowler. He has briefed

our Government at high levels on this issue in order to explain to us how we might better assist the sanctions regime. I can report today that his efforts with the United States Government directly have been very fruitful.

We also welcome the Foreign Minister of Angola, Mr. Miranda, back to the Council and we look forward to hearing his report. I hope that he will report to President Dos Santos that the Security Council is continuing its vigorous efforts to honour its commitments to Angola.

In the past, UNITA's ability to evade the three sanctions packages allowed it to defy the will of the majority of the Angolan people and of the international community. UNITA's sanctions-busting activities, aided and abetted by the parties identified in the report of the Panel of Experts, allowed it to pursue a military option that brought death and destruction to a long-suffering nation.

The people of Angola have waited too long for UNITA's military leadership to forsake armed resistance and enter into the peaceful democratic life of the country. The road is littered with UNITA's broken promises. The fundamental expectation of the international community remains the full demilitarization of UNITA, the full extension of state administration to all areas of the national territory and the full demobilization of all armed UNITA personnel. The people of Angola waited four years for UNITA to accomplish these tasks, only to be deceived once again.

However, the four years of the Lusaka Protocol produced a Government of National Unity, integrated armed forces and a multi-party National Assembly. These gains should be safeguarded and developed. The United States is committed to the Lusaka Protocol and its institutions, including the role of the troika of observer States, and to the freedoms guaranteed under the Angolan Constitution. This includes, importantly, the rights of a free press, which are, unfortunately, under threat in Angola today. The issue of a free press is of grave concern to my Government and, despite our support of the sanctions and our efforts to work closely with the Government of Angola, we do not believe we can or should ignore this problem.

Our vote today in support of the draft resolution will underscore the strong Council view that UNITA leader Jonas Savimbi is in defiance of the will of the people he claims to help and represent. The primary cause of the present crisis is Savimbi's unwillingness to comply with his obligations under the Lusaka Protocol. Mr. Savimbi should

read the writing on the wall here in this meeting today. The noose — as one of the previous speakers said — is closing. He should take action on his own to stop the pain and suffering he is causing to the people of Angola. If he does not, he will lose anyway, but at much greater cost to the people of Angola and to himself.

Since his refusal to accept the results of the 1992 election, he has waged a war against the people of Angola. He has exercised veto rights over the political, economic and social life of the country, not because he possesses a superior ideological vision or an electoral majority, but because he has fielded a military force.

Security Council sanctions are designed to erode UNITA's ability to export diamonds and import military supplies, and I note the high importance we attach to the new undertakings by the Government of Belgium in regard to the diamond issue.

We note the Government of Angola's call for new elections and the wide support this proposal has received. This shows that the Government understands that all mandates must be periodically reviewed by the people and that the opposition itself is eager to launch into a new campaign. As long as the elections are carried out in an environment of open democratic processes and with appropriate monitoring, we will support them. If all of Angola's parties are given the political space to operate freely, if the mass media and civil society movements can speak without fear of reprisal, then Angola will be ready for new elections, regardless of what Mr. Savimbi believes or attempts to do.

Keeping sanctions pressure on UNITA will continue to erode Mr. Savimbi's military options. Of course, unless he sees the handwriting on the wall and ends his performance — his behaviour — it will not happen overnight. But I think the evidence is already showing that the dedication that your country, Mr. President, has brought to this task has made a major contribution. The additional efforts that have been announced recently, plus this very important and excellently drafted Security Council draft resolution, have all made a major contribution. We continue to support your efforts, Sir, and we look forward to working together with you over the next six months, and beyond, in pursuit of the goals the Security Council, speaking on behalf of the international community, has articulated here today.

The President: I would like to thank the representative of the United States for the kind words

addressed to Ambassador Fowler and the Canadian delegation. We appreciate that.

Mr. Ouane (Mali) (*spoke in French*): The Security Council has for a month now had before it the report of the Panel of Experts established by resolution 1237 (1999) to study violations of the sanctions imposed by the Council against UNITA. The draft resolution before the Council today endorses three fourths of the recommendations of the Panel's report and is aimed at intensifying the work of the Committee established under Security Council resolution 864 (1993) on Angola, and in particular at enhancing the effectiveness of current sanctions covered in earlier resolutions of the Council relating to the illegal supply of arms, petroleum and petroleum products, the export of diamonds, the freeze on UNITA's financial assets and on the closing of UNITA's representation offices and other offices abroad. By adopting the draft resolution, the Council will be strengthening the United Nations sanctions regime against UNITA and demonstrating its resolve to make a positive and concrete contribution to the restoration of peace and security in Angola. It is for these reasons that the delegation of Mali will vote in favour of the draft resolution.

Mali deplores the continuation of the conflict that has now been taking place in Angola for 25 years, for which Jonas Savimbi and UNITA are primarily responsible. The people of Angola have suffered too much from the war; the time has now come for the international community to adopt strong measures to put an end to it. The implementation of the draft resolution we are to adopt at the end of this meeting will help to dry up the income UNITA gets from illegal diamond exports and will substantially limit its acquisition of weapons and munitions, petroleum and petroleum products.

In this connection, I would like to pay tribute to the tireless efforts made by Ambassador Robert Fowler, in his capacity as Chairman of the sanctions Committee on Angola, to contribute to the achievement of a political settlement of the Angolan crisis by diminishing UNITA's capacity to wage war.

Along the same lines, the establishment for a six-month period of a new monitoring mechanism for sanctions violations will make it possible to give effective follow-up to the results of the report of the Panel of Experts. Those will have lasting effect only if there is control of and some pressure on Savimbi and his entourage. This will also make it possible for the Council to avoid a return to practices of the past.

For these reasons, Mali, which stands in solidarity with the people of Angola in their struggle — and I welcome the presence at this meeting of Mr. Miranda, Minister for External Relations of Angola — is convinced that the draft resolution we will adopt today will enable us to apply more effectively the sanctions regime against UNITA in order to curb and put an end to sanctions violations.

The President (*spoke in French*): I thank the representative of Mali for his kind words addressed to the Canadian delegation.

Mr. Kooijmans (Netherlands): The representative of Portugal will make a statement on behalf of the European Union later in this debate. As the Netherlands associates itself fully with that statement, my delegation will limit itself to a few brief comments on the issue under consideration.

The Panel of Experts, in its report on violations of Security Council sanctions against UNITA, concluded that the long-suffering people of Angola need and deserve the support of the international community in the search to bring peace and political reconciliation to that country. Rendering that support is indeed in essence what the Council is doing today by tightening the noose around UNITA's capacity to defy the international community and bring further misery to the Angolan people.

The draft resolution the Council is to adopt today entails basically two steps that should curtail future infringements of the UNITA sanctions regime. First, it puts in place a new monitoring mechanism that could be an effective instrument in the hands of the Council and the sanctions Committee to oversee the implementation of resolutions 864 (1993), 1127 (1997) and 1173 (1998), as long as that mechanism is allowed to collect, analyse and submit information independently. Secondly, the draft resolution sets a deadline for the Council to consider action vis-à-vis those States considered to be in violation of the terms of the sanctions regime. We are very grateful for the important contribution of the Panel of Experts, and especially that of Ambassador Fowler, to making the sanctions against UNITA more effective.

Even before adopting this draft resolution, we have already seen some remedial effects of the report of the Panel. In this connection, we wish to commend those countries mentioned in the report for the steps taken so far, and we call upon the others to follow suit. In our view, Belgium in particular deserves praise for taking the

Panel's remarks in stride and addressing its recommendations expeditiously and in such a transparent manner. Other countries have got away too easily simply by ignoring the Panel's request for information. We expect, therefore, that the new monitoring mechanism will pick up where the Panel had to stop and will build upon the information that has been collected so far. Again, we repeat that it is essential for the new mechanism's future effectiveness that it be able to operate independently. We look forward to receiving the mechanism's report six months from now.

Our ultimate goal in tightening the sanctions is not so much simply to punish UNITA, but to reduce UNITA's capacity to wage war and prevent a peaceful solution to Angola's bloody conflict. UNITA deliberately chose to abandon the road to peace as mapped out by the Lusaka Protocol and left the Government of Angola no option but to seize the initiative militarily. The draft resolution before us is meant to create a situation in which military offensives will no longer be needed to achieve a peaceful solution. That solution is what the Council ultimately should offer to the Angolan people, whose suffering has gone on for much too long.

However, the fact that we hold UNITA responsible for the present situation of conflict and humanitarian misery does not diminish the responsibility of the Government of Angola to make its own substantial contribution to the well-being of its own people. In his report of last week on the operations of the United Nations Office in Angola, the Secretary-General referred to allegations of grave human rights violations on both sides and the dire humanitarian situation in Angola. It proves, in our view, that close monitoring by the international community of both areas of concern is still warranted. The Government of Angola owes that not only to the people of Angola but also to the international community, which today is going to take far-reaching steps to assist the Government in its efforts to pacify the country effectively.

Lastly, our progress in the UNITA sanctions dossier should not obscure the need for the Council, at a later stage, to look into the general problem of conflicts fueled and prolonged by access to minerals.

The President: I thank the representative of Netherlands for his kind words to me.

Mr. Mársico (Argentina) (spoke in Spanish): I should like to thank you, Mr. President and Foreign Minister of Canada, for having once again honored us with your

presence here. I should also like to thank the Foreign Minister of Angola, Mr. Miranda, for having once again joined us here today.

A little more than a month ago we met to consider the report of the Panel of Experts on violations of sanctions against UNITA, introduced by Ambassador Fowler in his capacity as Chairman of the Angola sanctions Committee.

The submission of that report had significant impact and we believe it will continue to have positive repercussions. Not only has it mobilized the States mentioned in the report, those in the diamond industry and arms producers, along with neighboring countries and countries in the sub-region, but it has also, as no other single event in the past, raised the awareness of the international community as a whole. For all these reasons, this is an invaluable report.

More or less in parallel fashion, alongside this discussion, a series of exchanges of opinion has taken place on general issues bearing on sanctions which also benefitted from the specific results emerging from the Panel's work. We believe that both initiatives, whereby formal discussion on sanctions was begun, will enable the Council to incorporate specific measures in its work to improve across the board the use of the tool of sanctions.

Today we are here to take a second step, as important as the first, by adopting a resolution which we believe will strengthen the sanctions regime against UNITA. We hope that thereby a political solution to the conflict in Angola will be promoted.

This draft resolution, which we support in its entirety, contains a series of innovative elements. It recognizes the need to monitor sanctions, establishing for this purpose monitoring machinery with an initial duration of six months which will pursue the work started by the Panel. It stipulates that the Council, after review of the implementation of the measures set out in the resolutions on sanctions against UNITA — that is to say, resolutions 864 (1993), 1127 (1997) and 1173 (1998) — and on the basis of the outcome thereof, will be prepared to take steps against those States that will have violated these sanctions. Likewise, the draft resolution that we are on the verge of adopting contains a series of measures and recommendations aimed at all States relating to diamonds, petroleum, arms, financial measures and travel and representational restrictions on UNITA abroad.

We note with satisfaction that the resolution incorporates a number of different Panel recommendations on the natural resources of Angola, whose very existence and abundance have played a significant role in prolonging the conflict: driving the war and facilitating the buying of arms and fuel and even of political sympathy. Under section B, referring to the trade in arms, we consider of particular importance the appeal to all States to be as diligent as they possibly can in confirming the end users. Under section D, referring to the diamond trade, we urge the imposition of significant penal measures against the illegal possession of diamonds in contravention of resolution 1173 (1998). At the same time we welcome the establishment of a new Certificate of Origin for diamonds by the Government of Angola, which will facilitate better monitoring.

For more than twenty years now, the international community has been striving to achieve a peaceful resolution of the conflict in Angola. Argentina can identify itself with these efforts, as in 1989 we despatched units when the operations of the United Nations Observer Mission in Angola got underway. Notwithstanding the successive efforts of the international community, the results were inadequate to put an end to the conflict and to promote compliance with the 1991 "Accordos de Paz" or with the Lusaka Protocol of 1994.

We acknowledge that the continuation of the conflict in Angola is not due to any single factor. Notwithstanding that, we hope that the measures we are adopting today will make it possible to make greater use of the natural resources of Angola for the progress of its people and not for fuelling the conflict, will reaffirm the repudiation by the international community of the violations of the sanctions regimes established by the Security Council, and, finally, will help to move the peace process in Angola forward, renewing political efforts underway to put an end to the conflict.

The President: I thank the representative of Argentina for his kind words addressed to me.

Mr. Wang Yingfan (China) (*spoke in Chinese*): The Chinese delegation welcomes you to New York, Mr. President, to preside over this open meeting. We would also like to welcome Foreign Minister Miranda of Angola, who is attending today's meeting.

The question of Angola has dragged on for quite a long time. The twists and turns of the peace process and the grave security and humanitarian situation have not only

combined to bring enormous sufferings to the Angolan people but have also seriously affected peace and stability in the region. As it refused to implement the peace agreement, UNITA, headed by Jonas Malheiro Savimbi, should bear the main responsibility for the present situation in Angola. Since the arms and petroleum embargo was applied against UNITA by resolution 864 (1993), the Security Council has adopted a number of resolutions in recent years to expand relevant measures to travel, finance, the diamond trade and many other areas. Unfortunately, these measures have not been implemented effectively, for various reasons. To this day, UNITA has not yet laid down its weapons to take the path of national reconciliation.

Ambassador Robert Fowler of Canada, since his assumption of the chairmanship of the sanctions Committee, has made unremitting efforts to facilitate implementation in earnest by the international community of the sanctions against UNITA. The Security Council Panel of Experts investigating violations of the embargoes has done a great deal of work since its establishment and has submitted a report in this regard, putting forward a series of recommendations. Despite the different responses and evaluations made by different sides, the report undoubtedly played a positive role in enhancing efforts by the Security Council and the international community to strengthen the sanctions against UNITA.

Meanwhile, we should also see that much remains to be done in strengthening sanctions against UNITA. After the expiration of the mandate of the Expert Panel, the international community will still need to monitor violations of the embargoes closely. The Chinese delegation supports the establishment by the Security Council of a new monitoring mechanism to continue the investigation into violations of the embargoes against UNITA and to submit a report and proposals to the Security Council in six months. We hope that the Secretary-General will be able to appoint experts for this monitoring mechanism at an early date, and we would like to call upon all countries to give it their full support and cooperation.

We support Security Council endorsement of some of the recommendations in the Expert Panel's report through the adoption of a draft resolution, and we hope that this will be truly implemented. We have taken note of the fact that many of the recommendations involve the Southern African Development Community (SADC). It may be said that without the true involvement and commitment of SADC, it will be impossible to implement

many of the proposals, and sanctions against UNITA could possibly remain hollow talk. We commend SADC countries for their determination and for their efforts to implement the sanctions against UNITA. At the same time, we are aware of the real difficulties SADC countries face, and we are therefore of the view that the international community should continue to provide SADC with necessary assistance concerning the sanctions against UNITA.

The Chinese delegation strongly appeals to all countries strictly to abide by relevant resolutions of the Security Council, to stop supplying UNITA with weapons or supporting it in any other way and to adopt effective measures to prevent their own citizens from violating the sanctions. We sincerely hope that in six months' time, when the Security Council next reviews the implementation of the sanctions against UNITA, we will be able to see real and effective results. That would be an important contribution by the international community to the Angolan peace process.

The President: I thank the representative of China for the very kind words he addressed to me.

Mr. Hasmy (Malaysia): My delegation, Sir, is pleased to see you presiding over another meeting of the Security Council. We also welcome the presence at this important meeting of the Minister for External Relations of Angola, Mr. Miranda.

We would like to thank the Canadian delegation, in particular Ambassador Robert Fowler, for its outstanding efforts to spearhead the work of the Committee established pursuant to resolution 864 (1993). There has been a tremendous shift in the international focus following the commissioning of the Panel of Experts established by the Security Council pursuant to resolution 1237 (1999), and the issuance of its report in document S/2000/203 of 10 March 2000.

We commend Ambassador Fowler for his strong commitment and tireless efforts in transforming the sanctions Committee into an active and robust body, one which is very much at the forefront of the Organization's attempts to cripple the war-making capability of UNITA.

We once again welcome the report of the Panel of Experts and take note of the conclusions and recommendations contained in it. The report puts forward a set of 39 bold and far-reaching recommendations for the consideration of the Council.

Following on from our deliberations at the open meeting of 15 March 2000, substantial work has been put into the draft resolution before us today, which would give effect to the large majority of the Panel's recommendations. The draft resolution before us is a very important one. It has the aim of strengthening control of the sanctions against UNITA. It targets UNITA and others found to be in violation of the measures imposed by the Council. In that regard, my delegation fully supports the proposed establishment of a monitoring mechanism composed of up to five experts for an initial period of six months in order to collect additional relevant information and to investigate relevant leads concerning violations of the measures contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998). We agree that the monitoring mechanism should report periodically to the Angola sanctions Committee, and we look forward to the submission of a written report by 18 October 2000. It is our hope that the Secretary-General will be able to appoint the experts expeditiously.

With regard to the trade in arms, the draft resolution encourages States to exercise all due diligence in order to prevent the diversion or trans-shipment of weapons to unauthorized end-users or unauthorized destinations, if such diversion or trans-shipment risks resulting in the violation of measures contained in resolution 864 (1993). This is particularly important given that the Panel's report highlights UNITA's military ability successfully to procure weapons with the help of international arms brokers. We agree that stringent measures with regard to proper documentation for the export of weapons are necessary in order to check the flow of illicit arms to UNITA and to help bring an end to its capacity to wage war. Further, we also view positively the invitation to hold conferences of representatives of countries that are manufacturers or exporters of weapons to develop proposals to stem the illicit flow of arms into Angola.

In that regard, it is especially important that the countries of the Southern African Development Community (SADC) be invited to participate in such meetings. In addition, we believe it is important that SADC countries be provided with both financial and technical assistance by the international community in implementing the relevant recommendations of the Panel of Experts.

With regard to the trade in diamonds, we support the call on States hosting diamond markets to impose significant penalties for the possession of rough diamonds in contravention of the measures contained in resolution

1173 (1998). My delegation wishes to state that it would have preferred the inclusion in the draft resolution of language regarding exploring the lawful seizure of the rough diamonds in question as well as any collateral assets used in the transport of such goods; such language is not included in the draft resolution before us. We would also express support for a call on States to make dealing in illegal rough diamonds a criminal offense; this too is not included in the final text of the draft resolution.

In that connection, we particularly welcome the introduction by the Government of Angola of new control arrangements involving redesigned and reconcilable certificates of origin. Details of this scheme should be provided to Member States; we look forward to a briefing by the Government of Angola on this regime in due course.

Diamonds remain a principal source of funding for UNITA. It is therefore imperative that UNITA's lifeline be severed.

While supporting the draft resolution's aim of giving teeth and meaning to the Council's sanctions, my delegation would like to reiterate its view that any further steps or measures to be meted out to sanctions-busters should be considered very carefully and should be weighed against the seriousness of an alleged breach. We believe that those named in the Panel's report should have the right to respond to the allegations and to clarify their own roles in the alleged sanctions-busting activities. If those clarifications are not plausible and are not borne out by the facts, the international community and the Council will doubtless draw their own conclusions and take appropriate action.

Nevertheless, we would like to stress our conviction that the Council must act only when it has conclusive evidence of such breaches. We support the 18 November 2000 deadline for an initial Council decision on the matter. That would give ample time for those named to respond to the Panel's allegations.

For far too long, UNITA has been left to its own devices, violating the measures imposed by this organ with impunity. Essentially, Savimbi knew that the Council seriously lacked the will to enforce the sanctions regime. Those days, we believe, are now gone. With the Panel's bold report and robust recommendations, and with the adoption later today of the draft resolution before us, those responsible for breaches and transgressions of the sanctions regime will no longer go back to doing business as usual.

Malaysia will therefore vote in favour of the draft resolution.

The President: I thank the representative of Malaysia for the kind words he addressed to the Canadian delegation.

Mr. Andjaba (Namibia): Let me at the outset express my delegation's appreciation to you, Mr. President, and to your Government for convening this important meeting on Angola. The fact that you are presiding over this meeting is clear testimony to your Government's commitment to contribute to finding a lasting solution to the Angolan conflict. I wish in particular to commend Ambassador Fowler for his commitment and his leadership in ensuring that sanctions against UNITA are enforced. My delegation pledges its full cooperation in the successful resolution of this issue.

Let me also acknowledge the presence of the Minister of External Relations of Angola, Mr. Miranda. We eagerly await his remarks.

The report of the Panel of Experts on violations of sanctions against UNITA was considered in the open debate of the Security Council held on 15 March 2000. At that meeting, we reiterated that Security Council resolutions on sanctions against UNITA were indeed being violated by Member States, corporations and individuals at the expense of the people of Angola, and hence that UNITA was in a position to augment its military strength and as a result continued to sow death and destruction in Angola. In this regard, and in order to add credibility and seriousness to the sanctions resolutions, the Council must take the appropriate measures to curb and destroy UNITA's capacity to make war.

The Southern African Development Community (SADC), the Organization of African Unity (OAU) and the Movement of the Non-Aligned Countries continue to play an important role in support of the implementation of the Council's resolutions imposed against UNITA. These organizations have on a number of occasions expressed their concern at the deteriorating humanitarian situation resulting from UNITA's intransigence and refusal to comply with its obligations under the Lusaka Protocol. Furthermore, they have declared Mr. Savimbi a war criminal who has rendered himself an invalid interlocutor. In particular, we welcome the pronouncements by the most recent meeting of Foreign Ministers of Non-Aligned Countries, held at Cartagena de

Indias, Colombia. In our view, it is imperative that the Security Council heed the call made by the Foreign Ministers of the Non-Aligned Movement in this regard.

Today the Council is going to vote on another historic draft resolution — one which this time, if implemented, will help bring peace to Angola and to the region as a whole. Namibia will vote in favour of this consensus draft, but first let me comment on some of its key elements.

First, my delegation considers the establishment of the monitoring mechanism an important factor in this exercise, and it is our sincere hope that the mechanism will receive appropriate support from the Member States and the Secretariat to enable it to accomplish the task ahead of it. It is important in this regard that adequate technical support and financial resources be provided to this mechanism so as to enable it to do its job thoroughly.

Secondly, the Council must stand ready to take appropriate measures by 18 November this year against those who it determines have violated sanctions against UNITA, as stipulated in the draft resolution. It would be unjust and unfair to the Angolan people, who have suffered for too long — more than 500,000 lives have been lost — if this draft resolution became just another resolution. Taking appropriate action against those States, corporations and individuals that are in violation of the relevant resolutions will send a clear message to possible violators that the Council means business. This is the minimum that the Council can do for the people of Angola.

Thirdly, my delegation takes note of the steps announced by the Government of Belgium in support of a more effective implementation of measures against UNITA and indeed welcomes the measures taken by the Diamond High Council in conjunction with the Government of Angola to render sanctions more effective. We call upon Member States and other concerned institutions to assist the Government of Angola in its internal reform process with a view to improving the effectiveness of the implementation of sanctions against UNITA. We also take note of the decisions taken by some Governments, both within and outside Africa, to bring to justice their nationals found to be sanctions-busters.

Another critical issue of great concern to my delegation is the use of mercenaries by UNITA, whose impact has been significant in sustaining the military war machinery of the rebel movement. We call upon States to do their utmost to discourage their citizens from serving in UNITA ranks at all levels. In this regard, we support the

issuing of arrest warrants to individuals who are playing key roles in circumventing the Council's resolutions against UNITA.

Finally, SADC has played, and continues to play, an important role in the implementation of the Council's resolutions against UNITA. However, it must be stressed that the SADC countries lack the technical and financial capacity to carry out its relevant programmes successfully. Therefore, we appeal to the international community to provide appropriate technical and financial assistance to SADC with a view to strengthening the effectiveness of the sanctions imposed against UNITA. SADC is more than prepared to play its role. However, the assistance of the international community is vital in this regard.

We look forward to continuing to work with the Chairman of the Committee for the success of the work of the Committee and for peace and stability in Angola and in southern Africa in general.

The President: I thank the representative of Namibia for the kind words he addressed to me.

Miss Durrant (Jamaica): My delegation joins previous speakers in thanking you, Mr. President, for convening this meeting. We also wish to welcome Mr. Miranda, Minister for External Relations of Angola, to our deliberations.

My delegation pays tribute to Ambassador Robert Fowler for his re-energizing of the sanctions Committee established under resolution 864 (1993) and thanks him for introducing the draft resolution before us today. We fully endorse the draft, as we believe that it is important for us to send a strong message that breaches of the Council's sanctions will not go unpunished.

Already the work of the Panel of Experts has borne fruit, as Governments and others have begun to focus on what they could do to improve the enforcement of sanctions and to curtail existing violations. As the report of the Panel reminded us, the purpose of the sanctions was to provide a peaceful settlement to the conflict in Angola by requiring UNITA to comply with the obligations it undertook and by limiting UNITA's ability to pursue its objectives by military means.

The Security Council has given UNITA and Jonas Savimbi all opportunities to bring peace to the long-suffering people of Angola. But we must recall that the

leaders of UNITA rejected the results of free and fair elections held in 1992. They took advantage of the Lusaka Protocol to regroup their forces, and they were aided and abetted in evading the arms embargo, the travel and financial sanctions and the embargo on diamond exports. Those who aided and abetted UNITA in violating sanctions are equally culpable, along with UNITA, for the humanitarian tragedy in Angola. It is reported that over the past 25 years, some 1.5 million people have lost their lives. There has been a dramatic increase in infant mortality, food shortages and starvation, and the number of internally displaced persons was last year estimated at 1.7 million out of a total population of 12.6 million.

It is in this context that the Security Council, by its action today, will clearly indicate that the international community strongly repudiates the actions of Mr. Savimbi and is determined to cut off his sources of finance and arms. But the measures in the draft resolution with regard to the trade in arms, petroleum and petroleum products and diamonds, and with regard to travel, representation and financial measures, can be effective only if all Member States adhere to the terms of the draft resolution.

The monitoring mechanism is an innovative one, and we believe that it can provide an example for other sanctions regimes. We therefore hope that it will be set up expeditiously in order to allow it to report to the Council by November 2000. We wish to commend the Southern African Development Community countries, and those geographically close to Angola, for the steps they have already taken to tighten the sanctions.

The draft resolution before us has been carefully drafted, providing, as it does, an opportunity for those named in the report to respond before any action is taken against sanctions busters, while at the same time reminding States of the mandatory nature of sanctions imposed by the Security Council. Twenty-five years have gone by. A whole generation of Angolans has not known life without war. We owe it to them to seek to ensure that the riches of their country are used for their economic and social development, and not to perpetuate conflict.

The meeting was suspended at 1.45 p.m.



Security Council

Fifty-fifth Year

4129th Meeting

Tuesday, 18 April 2000, 3 p.m.
New York

Provisional

<i>President:</i>	Mr. Axworthy	(Canada)
<i>Members:</i>	Argentina	Mr. Mársico
	Bangladesh	Mr. Ahmed
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. Kooijmans
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Holbrooke

Agenda

The situation in Angola

Letter dated 10 March 2000 from the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola addressed to the President of the Security Council (S/2000/203).



The meeting was resumed at 3.15 p.m.

Mr. Ben Mustapha (Tunisia) (*spoke in French*): I would like to say how grateful we are to you, Mr. Minister, for convening this open meeting of the Security Council on the situation in Angola. I would also like to thank Ambassador Fowler, the Chairman of the Council's sanctions Committee on Angola, for his constant efforts to ensure the follow-up to the strict implementation of the sanctions regime against UNITA. Our meeting today follows the Council's very important debate yesterday on general questions relating to sanctions — which was also held under your presidency, Sir — and clearly demonstrates, if there is a need to do so, the resolve of the Council and, through it, that of the international community to give its full attention to the question of sanctions imposed by the Council in accordance with the Charter with a view to establishing peace and security.

In the case of Angola, sanctions against UNITA have proved their effectiveness because they have significantly weakened Mr. Savimbi's military capability and reduced his supply sources and the income he utilizes for the war effort. The Chairman of the Committee and the Panel of Experts have made laudable efforts to ensure rigorous follow-up to the implementation of the sanctions regime. Their tenacity has enabled us to send an unequivocal message as to the Council's determination to ensure respect for its resolutions and to demonstrate to UNITA that it cannot indefinitely continue to threaten peace and stability in Angola and in the subregion.

The report of the Panel of Experts is the outcome of six months of research and investigation. That report, which we welcome, has been the object of a prior debate within the Security Council and has raised questions as to some of its conclusions and recommendations.

Although, as we said earlier, irrefutable evidence is required, commensurate with the significance of the deeds reported, we still believe that the report deserves special attention and serious consideration by many States and parties.

The official responses addressed to the Security Council following the publication of the report, and the measures already taken by some countries that have, *inter alia*, established national commissions of inquiry, certainly demonstrate the serious approach to this question in Africa and elsewhere. These are important inputs that should be taken duly into account in order to give a complete picture of violations of the sanctions regime against UNITA. They

will certainly be helpful to the future monitoring mechanism as it carries out its tasks.

The six-month period provided for in the resolution that is to be adopted, which we support, will enable the Council to have a better grasp of this issue.

The President (*spoke in French*): I thank the representative of Tunisia for his kind words addressed to the presidency.

Mr. Ahmed (Bangladesh): Let me begin by saying how pleased the Bangladesh delegation is at seeing you, Mr. Minister, once again chairing a meeting of the Security Council. We also welcome in our midst the Minister for External Relations of Angola. Let me also begin by commending the delegation of Canada, and particularly Ambassador Fowler, for convening this meeting on Angola sanctions. It is right for the Council to focus on the situation in Angola in general and the sanctions imposed against UNITA in particular, and the initiatives of Ambassador Fowler and his colleagues have the full support of our delegation.

We recall our discussion a little over a month ago on the report of the Panel of Experts on the sanctions imposed against Angola. We commended the work done by the Panel, as we found it useful, not only in the context of the Angola sanctions, but also for the implications the recommendations would have on the current thinking of the Council in terms of general issues relating to sanctions.

There is no doubt that the sanctions have not been working, and the Panel, in its report, has pointed out why. It is for the Council to decide how best it could deal with the recommendations of the report in order to make the sanctions more effective. The approach that the Council took was to implement most of the recommendations. The draft resolution that we shall adopt later today will be doing just that. There are other issues raised in the recommendations that need further study and call for the collection of information, and perhaps those issues which may not have been pursued adequately by the Panel for want of time or other reasons should also be looked into. We therefore agree that we need a mechanism to meet this requirement, a mechanism which would be geared to this purpose. We feel that the mechanism would do well to look at the working methods of the Panel and improve them. This would not only result in a better product, it would spare it some criticism. We would look forward to its reports, which

should provide valuable information to the work of the Council in this regard.

The Angola situation as it stands today is the result of complicity, corruption and greed. The country, with a great potential to develop, is currently rated the most horrific place on earth for a child. UNITA bears the primary responsibility for this. There is no military solution for the problem, and a political dialogue must be started between the concerned parties. The sanctions are aimed at making it difficult for UNITA to pursue its military campaign. However, all-round cooperation is needed to make that happen.

We welcome the decisions of some of the countries cited in the Panel report to set up commissions of inquiry and other mechanisms to investigate the allegations. Others should follow that example. The results of these inquiries are valuable tools for the sanctions Committee's future work. We hope the Committee will be able to use the information in its dialogue with the States concerned.

The draft resolution covers most of the recommendations relating to arms, diamonds, financial assets, travel restrictions, et cetera. The recommendations are far-reaching and bold, we know. We have worked out a draft resolution which goes far enough, within the bounds of practicability. It is our view that since we now know the reasons, modalities and mechanism behind the large-scale flouting of the measures imposed against UNITA, we should be able to act to stop it. Political will to do so can overcome many of the impediments that might stand in the way. The role of diamonds in this continuing war is clearly known to us today. All concerned, including the industry and the Government of Angola, should do their part in putting in place appropriate mechanisms to observe the sanctions measures. The same holds for the other areas covered in the draft resolution. We would urge all parties concerned to extend cooperation for the development of more effective mechanisms to ensure observance of the measures imposed.

We are encouraged by the positive response to the recommendations by the Southern African Development Community (SADC) countries. We support their resolve to shoulder their responsibility. It remains for the international community to support and assist them in their endeavour to take all steps in containing the situation in Angola in accordance with all existing Council resolutions in this regard.

Before concluding, I would like to touch upon the humanitarian situation in Angola, essentially a product of the protracted war which has exacerbated the already precarious humanitarian situation. We welcome the Secretary-General's observations in his latest report on the situation in Angola and agree that the efforts of the Government of Angola in providing basic social and economic services to the people should be supported.

In closing, we hope that the draft resolution that we adopt today will go a long way towards ensuring that the sanctions are respected and that their purpose is served: achieving the greater goal of peace and stability in Angola.

The President: I thank the representative of Bangladesh for his very kind words addressed to the Canadian delegation.

Mr. Yel'chenko (Ukraine): Like my colleagues who spoke before me, I would also like to welcome the participation of the Minister for External Relations of Angola, Mr. João Bernardo de Miranda, in this very important meeting of the Security Council.

The distinctive character of this meeting is certainly predetermined by the content of the draft resolution before the Council. Ukraine has been consistent in its position that decreasing UNITA's ability to wage war by strengthening the effectiveness of the measures imposed by the Security Council against it is a fundamental prerequisite to restoring peace in Angola. The report by the Panel of Experts on the violation of Security Council sanctions against UNITA, presented to the Council a month ago, has in itself contributed tremendously to a more serious and responsible attitude to those measures. The decision that the Council is about to adopt will produce a much more far-reaching effect.

The direction of this draft resolution is manifold. Its main purpose consists in improving the implementation of the existing measures imposed against UNITA. Certainly, we can differentiate between groups of countries bearing special responsibility for specific areas, which, for example, could include Angola's neighboring countries, or countries involved in arms manufacture or marketing, or States closely involved with the diamond industry, as well as others. It is indeed important that the Council is attempting to make very distinct recommendations to those States. At the same time, if we bring together all those different groups, we will undoubtedly wind up getting what is called the international community.

Therefore, it is incumbent on all of us to take an action-oriented approach towards those recommendations.

Furthermore, by taking a decision on the establishment of a monitoring mechanism to collect information and investigate allegations of violations of the measures against UNITA, the Council is making a bold step towards strengthening its own capacities in relation to this particular sanctions regime, as well as to its overall sanctions policy. It is from this standpoint that my delegation attaches particular importance to the close connection between the monitoring mechanism and the sanctions Committee on Angola. It is also from this perspective that we acknowledge a correlative character between this meeting and important events both inside and outside the Council which took place yesterday.

Another specific element of the draft resolution which my delegation would like to emphasize is a very clear forewarning of the inevitable repercussions on States proved to have violated the measures imposed against UNITA. The relevant provisions of the draft resolution to that effect provide strong evidence of the Council's determination to end the culture of impunity with regard to this sanctions regime.

I would like to conclude by reiterating my delegation's appreciation and strong support for the efforts of Ambassador Robert Fowler aimed at improving the effectiveness of the sanctions against UNITA.

The President: I thank the representative of Ukraine for the kind remarks he addressed to the Canadian delegation.

I shall now make a statement in my capacity as Foreign Minister of Canada.

At the outset, I join others around this table who have welcomed the Minister for External Relations of Angola. I think it is vital that he be with us as we discuss an issue so crucial to his country. We appreciate his taking the time and making the effort to join us in this debate.

Tomorrow, we will be considering the role and responsibility of the Security Council in protecting civilians in armed conflict. Today we have the opportunity to take resolute Council action where the need could not be more acute. The endless and utterly senseless civil conflict in Angola has only one enduring certainty: civilians desperately need protection. Previous speakers have made plain the dimensions of the threats faced by ordinary

Angolans. Angola is a place where more than a million souls have perished in the violence; where a complete humanitarian collapse looms never very far, with people barely surviving from day to day; where for rural dwellers it is literally too dangerous to set foot out of the house for fear of being blown away by a landmine; where children are in greater peril than anywhere else on earth; where one in three people have been uprooted from their homes; and where, quite simply, no one has escaped undamaged by war in one way or another.

Angola is a very rich land that is very poor in human security. Indeed, it is ironic and tragic that its very riches — mineral and petroleum wealth — have been so cruelly exploited to increase rather than diminish the suffering of the Angolan people. The renewed violence that has thwarted the prospects for peace might have been impossible if UNITA had not been able to misdirect earnings from those resources into the pursuit of violence.

To its considerable credit, the United Nations has been engaged from the outset in efforts to resolve the Angolan war and to establish peace. Thousands of Blue Berets, civilian and military, have been sent there for that cause, some paying with their lives; millions of dollars have been spent in humanitarian assistance and reconstruction efforts; countless negotiators have worked for days, weeks and months to obtain commitments by the parties to stop the fighting for good. However, there has been little return on this enormous investment. Lasting peace remains elusive. Yet, until peace prevails, there is no alternative but to persevere.

Yesterday, the Council agreed to improve the use of sanctions as an instrument to pursue peace and advance human security. Today, we can translate that general commitment into specific action for Angola. We can give real meaning to the sanctions regime against UNITA as a way forward. Denying UNITA the means to wage war would help promote peace. To be sure, that was the objective when measures to that end were adopted several years ago. But it is no secret that non-adherence to the relevant Council decisions, deliberate or otherwise, has been the rule rather than the exception.

The Security Council took an unprecedented step to reverse this trend a year ago when it approved the creation of an independent Panel of Experts to collect specific information on compliance and non-compliance with the provisions of the sanctions regime, and to provide the Council with recommendations on how to

make the sanctions work. The Panel, working independently of the sanctions Committee and holding itself to the most stringent of evidentiary standards, has produced a comprehensive, well-supported and practical report for which it deserves the Council's gratitude.

Along with the Panel, the Chairman of the sanctions Committee, Ambassador Fowler, and his very able staff also merit our appreciation — which many members have expressed — for the single-minded determination and vision with which this challenging initiative was pursued and completed.

They have done their work, and now the Security Council must do its work. The draft resolution before the Council would operationalize many of the Panel's recommendations through specific action aimed at stopping the illicit trade in diamonds, petroleum and arms, while reinforcing financial and other restrictions on rebel leaders.

Canada will certainly do its part to ensure that these measures are followed through. We will provide \$100,000 to assist the independent monitoring mechanism provided for in the draft resolution to prepare its report on whether to impose additional sanctions on parties found to be in violation of the Angola sanctions.

As many speakers have properly pointed out, neighbouring countries have a greater responsibility in implementing sanctions regimes. However, that is not a burden they can or should be expected to shoulder alone. To that end, we are ready to give technical and financial assistance to countries of the Southern African Development Community (SADC) to improve the effectiveness of their efforts.

Finally, Canada is prepared to sponsor the meeting of experts on the diamond trade called for in the draft resolution. This would help devise a system of controls that would allow for increased transparency and accountability in the flow of diamonds from the source to the world's diamond bourses.

As elsewhere, these new measures will work only if the sanctions regime itself is linked to a wider process of negotiation. To that end, we call upon both parties, UNITA and the Angolan Government, to demonstrate leadership and to negotiate and fully implement an agreement on the basis of the Lusaka accord.

After 30 years of civil conflict, the people of Angola deserve no less than lasting peace and stability. It is to be

hoped that the work of the Angola sanctions Committee will contribute to reaching that goal. This ground-breaking effort has, I believe, further and wider application for the Council's activities and its efforts to promote human security.

The Panel's work underscores the complexity of imposing and enforcing targeted sanctions. It nevertheless proposes practical ways of doing so. Without question, these will require the commitment of considerable will and resources. Without doubt, there is resistance in some quarters to making them work. However, if successful, these measures could serve as a template for focused action against belligerents in other conflict situations.

The Panel's efforts have also highlighted the reality and the impact of the new war economies — the nexus of parties to armed violence, the exploitation of people and resources and the commercial interests that profit from them. In a growing number of conflict situations, economic agendas coexist with political and military goals in the perpetuation of violence and the victimization of people. This highlights the large and growing importance of non-State actors in conflicts, and as a result emphasizes the need for the Council and Governments to come to grips with this reality and to respond effectively. Addressing the implications of the new war economies for peace and security merits further reflection and will involve the development of creative responses by the Council.

Finally, the Panel's findings underline that, while the Council's decisions reflect the will of the international community, their implementation depends on the action of individual Members. In applying targeted sanctions — financial or arms embargoes, for example — this means sharing know-how, experience and intelligence in dealing with other threats, such as money-laundering and the drug trade, where tactics for confronting them may be similar. For some countries, Canada included, it may also mean examining existing legislation and legal tools to determine whether they could be adapted to better influence the negative behaviour of actors operating in their or other jurisdictions.

The Angolan war is a direct and devastating threat to the security of the Angolan population. The Council is right to remain involved. The work of the Angola sanctions Committee and the Council's commitment today will, we hope, bring a resolution of this conflict much closer. In applying the broader lessons of these efforts, it may also help the Council to protect not just Angolans,

but civilians victimized by armed conflicts wherever they may occur.

I now resume my functions as President of the Security Council.

The next speaker is the Minister for External Relations of Angola, His Excellency Mr. João Bernardo de Miranda, on whom I now call.

Mr. Miranda (Angola) (*spoke in Portuguese; English text furnished by the delegation*): At a time when my country is going through a difficult period, I am pleased once again to address the members of the Council. I should like to begin by congratulating the President this month, Ambassador Robert Fowler, for the wise and able manner in which he is conducting the proceedings of the Council. My special greetings are also extended to the Foreign Minister of Canada, Mr. Lloyd Axworthy, who is presiding over today's meeting on Angola. This fact is an indication of the commitment and solidarity of the Government of Canada with the Government of Angola in its efforts to restore peace.

Seven years ago, when the Council for the first time imposed sanctions against UNITA rebels in resolution 864 (1993) and in other subsequent resolutions — adopted, respectively, in 1997 and 1998 — we believed that the political authority and the means at the disposal of the Security Council would ensure strict compliance with these measures by all States.

However, this did not happen. The Security Council and the United Nations in general were unable to stop the serious and systematic violation of the sanctions. While it would be fair to attribute this fact largely to the lack of an effective mechanism to monitor the sanctions, nevertheless it was also due to the bad faith of the one person who is mainly responsible for terrorism in Angola, Mr. Savimbi; some members of the international community; and transnational organized crime linked to trafficking in diamonds and weapons, which finds Angola's ongoing crisis to be fertile ground for increasing its profits.

It is no secret to anyone that despite Security Council resolutions, certain States and individuals continue to provide all kinds of support to Mr. Savimbi, thus challenging the authority of the Council. We do not believe that anything can justify the support provided to a man who has turned against the Angolan constitutional order, as is the case of Mr. Jonas Savimbi. In 1992 he rejected with violence the electoral results, and he is still attempting

obstinately to oust by force a democratically elected regime. As a result, the Angolan people are being plunged into misery and deprivation.

We find it difficult to understand the reason why, despite hard evidence that the sanctions were being violated, the United Nations has only very recently decided to investigate the extent of these violations and the identity of the main perpetrators.

Although the investigation came rather late, it goes without saying that it does set a precedent in United Nations history. Its findings and recommendations have received overwhelming support from the international community, thus dispelling any doubts as to the objectivity and transparency of the report presented to the Council. The fact that the draft resolution contains more than 80 per cent of the recommendations in the report is indeed noteworthy.

It is now incumbent upon the Security Council to assume its responsibilities, to make use of its authority and to justify the faith placed in it by the States Members of the United Nations. My Government considers it imperative that the Council demonstrate a sense of realism and justice by activating, whenever necessary, the appropriate mechanisms provided for in the Charter of the United Nations to ensure that all States unconditionally abide by its resolutions, particularly resolutions 864 (1993), 1127 (1997) and 1173 (1998).

The draft resolution we will be adopting today provides a basis for all States to demonstrate their adherence to the sanctions regime against UNITA. We want to believe that good sense will prevail and that all Governments will cooperate with the sanctions Committee and the United Nations in general, with a view to preventing Savimbi and his group from obtaining access to any external support, whether it be political, diplomatic, military, material or financial.

This action must include prohibition of the use of the territory of any State to carry out political activities or propaganda campaigns and the bringing to justice of all individuals or companies whose practices are in conflict with Security Council resolutions on Angola.

In this context, we would like here and now to appeal to regional organizations such as the Organization of African Unity (OAU), of which my country is a member, to use their good sense and lend unequivocal support, as the Southern African Development

Community did through its foreign ministers, to the report which has been submitted by the sanctions Committee on Angola, including its recommendations. We would also like to call on the OAU to make the report a reference document for all approaches to the prevention, management and resolution of conflicts.

At its last summit, in Algiers, the OAU declared the year 2000 to be the year in which all conflict in Africa should end. To that end, the organization is cooperating with the mechanisms created by the United Nations to counter all acts that threaten international security by politically isolating all those who directly or indirectly encourage and support subversive wars in our continent.

Finally, I would like to reiterate my Government's full support for and recognition of Ambassador Robert Fowler as Chairman of the sanctions Committee, and I would like to appeal to members of the Council, to the Secretariat of the United Nations and to the entire international community to continue to provide all necessary collaboration for the successful completion of its tasks.

The President: I thank the Minister for External Relations of Angola for the kind words he addressed to the Canadian delegation.

The next speaker on my list is the Minister for Foreign Affairs of Burkina Faso, Mr. Youssouf Ouédraogo. I welcome him, and I invite him to take a seat at the Council table and to make his statement.

Mr. Ouédraogo (Burkina Faso) (spoke in French): During this month of April 2000, Canada is presiding over the Security Council. You, Mr. Minister, have taken the opportunity to give the international community a month devoted to the subject of human security. The end of April will find you in Accra, Ghana, for the conference on children affected by war. This programme eloquently reflects your concern, Sir, and that of Canada, to promote human security.

Burkina Faso is gratified by your presence, Sir, and by your commitment, and we welcome the good relations between our two countries. We would also like to reaffirm that we hold all the States members of the Security Council and their representatives in high esteem.

I pay tribute to Ambassador Fowler, who is presiding over the Security Council this month. Allow me also to pay tribute to Ambassador Chowdhury of Bangladesh for the

effective and professional way in which he presided over the Council during the month of March.

Today, the Security Council is continuing its consideration of the situation in Angola. I should like to take this opportunity to welcome the presence here today of the Minister for External Relations of Angola.

The agony and torment of the Angolan people has lasted for more than 25 years. From the struggle for decolonization and the intrigues of the cold war to the current struggle for power, there has been no respite for our Angolan brothers. They have experienced heroism, extreme weariness and every form of suffering and pain, both physical and mental.

Given these conditions, the Security Council's involvement in the search for peace in Angola is urgently required. The creation of a Panel of Experts entrusted with the task of examining the violation of sanctions imposed by the Security Council against UNITA is part of that requirement.

The Government of Burkina Faso thus understands the situation and offers its support. That is why our current aim is not to demolish or downgrade the report, but merely to highlight its weaknesses and shortcomings in order to better serve the cause of peace through a rigorous, impartial, transparent, reliable, fair and just investigation.

In our statement to the Security Council on 15 March 2000, we made our position clear. We do not, therefore, intend today to reopen the debate on the report of the Panel of Experts; rather, we wish to reaffirm that Burkina Faso, in support of the measures decided on by the Security Council against UNITA, repudiates and rejects the conclusions in the report of the Panel of Experts that named the President of Burkina Faso as well as those implicating Burkina Faso in violations of the sanctions imposed against UNITA.

Furthermore, we intend to bring before the members of the Council and the international community the fact that, in a spirit of straightforward cooperation with the United Nations on this specific matter, my Government decided to set up, on 22 March 2000, a inter-ministerial committee entrusted with the task of following up the implementation of sanctions against UNITA. The committee is composed of representatives from the Departments of Foreign Affairs, Defence, Territorial Administration, Security, Economic and Financial

Affairs, Trade, Transport and Tourism, Justice and Communication.

The committee's mission is clear: it must see to the strict implementation of the sanctions, and in particular ensure that all necessary measures are taken by the ministerial departments concerned, and it must carry out a periodic evaluation of the implementation of the measures adopted.

Within the framework of its mandate and its mission, that committee will remain in contact with the United Nations sanctions Committee. It will also be responsible for carrying out investigations at the national level to determine the validity of the evidence provided by the sanctions Committee. If necessary, it will submit reports to the Government of Burkina Faso and to the United Nations sanctions Committee.

My Government has also issued instructions to the security service to take appropriate measures to strengthen existing provisions, particularly those prohibiting the entry into the territory of Burkina Faso of any person targeted by the relevant resolutions of the Security Council relating to sanctions against UNITA. The committee has already begun work and has prepared a memorandum that will be presented to the Angola sanctions Committee tomorrow.

All of these decisions reflect the determination of the Government of Burkina Faso to demonstrate once again its firm resolve to support unreservedly the efforts being made by the Organization of African Unity, the United Nations and the international community to effectively implement the Lusaka Protocol and the relevant Security Council resolutions on Angola.

The Council will shortly adopt a draft resolution on the subject under consideration. My delegation is in favour of the Council's proposal to create a monitoring body to pursue investigations and to look into allegations of sanctions busting in Angola, provided, of course, that the Panel of Experts works in an atmosphere of transparency and fairness. Given those conditions, my country would be prepared to cooperate with that body, because the Government of Burkina Faso remains open to any honest, transparent and objective initiative aimed at restoring peace in Angola.

The way to a solution is not always clear, neither to the protagonists nor to the observers. Allow me to say, humbly but firmly, without indulging in hypocrisy or subterfuge, that it is the conviction of the Government of

Burkina Faso today, as in the past, that only a political solution can bring about a durable peace in Angola. The Government of Burkina Faso invites the Security Council to keep this reality constantly in mind and reaffirms its full support to the Council in this connection.

The President: The next speaker is the representative of Portugal. I invite him to take a seat at the Council table and to make his statement.

Mr. Monteiro (Portugal): Let me again salute your presence here today, Mr. President — a testimony to the importance your country attaches to the application and enforcement of sanctions regimes not only in Angola, but around the world.

I should like to recognize, too, the presence among us of the Minister of External Relations of Angola.

I have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus, Malta and Turkey align themselves with this statement.

The European Union welcomes the convening of this meeting immediately following the meeting we held here yesterday to establish a working group of the Security Council on sanctions. Indeed, it is most appropriate that this Council is now taking further decisive action on the question of sanctions against UNITA following the report of the Panel of Experts from the sanctions Committee and the efforts of its Chairman, Ambassador Bob Fowler.

The decision of this Council, with the concurrence of the Special Representative of the Secretary-General, the late Maitre Beye, to impose sanctions on UNITA has been a major part of the policy of the international community to compel Mr. Jonas Savimbi and his followers to embark on the path of peace and to abide by their own commitments, as expressed in the Lusaka Protocol. Resolutions 864 (1993), 1127 (1997) and 1173 (1998) were thus adopted. Sanctions have had a relevant impact on the situation on the ground, as they have prevented UNITA's leaders from travelling abroad freely and made the procurement of weapons and supplies more difficult and expensive.

However, and as the report of the Panel of Experts makes clear in its findings, there have been a number of

significant violations of the sanctions regimes imposed on UNITA. These violations cannot be accepted and must stop. We must ensure the full and effective implementation of the sanctions regimes to prevent UNITA from pursuing the military option. Indeed, the European Union welcomes fully the provisions of the draft resolution to be adopted today by this Council. The present resolution allows for the work done by the Panel of Experts established pursuant to resolution 1237 (1999) to be followed up by a monitoring mechanism. We are looking forward to its findings. We welcome the Council's expressed intention to review the situation with regard to violations of sanctions not later than 18 November 2000.

The European Union remains deeply committed to a peaceful and political solution to the conflict in Angola and will continue to make every effort to achieve that objective. The suffering of the Angolan people after decades of war and the continued humanitarian disaster that the country is facing must be ended as soon as possible. The transformation of UNITA into a genuine political party and its acceptance of the provisions of the Lusaka Protocol would go a long way towards ensuring this objective. There can be only one Administration in Angola and that is the Government of National Unity and National Reconciliation. There can be only one army in Angola and that is the national army.

For its part, the Government of Angola must continue to make every effort to create the necessary conditions for a smooth extension of the state administration to the areas previously controlled by UNITA, in respect for the principles of democracy, good governance, human rights and human dignity. The European Union believes that the United Nations has an important role to play in assisting the Angolan Government to attain these goals. In this regard, it is most fitting that this Council adopted just last week a resolution endorsing the decision of the Secretary-General to extend the mandate of the United Nations Office in Angola (UNOA) for a further six months. We support the work of UNOA in Angola in accordance with resolutions 1268 (1999) and 1294 (2000). Indeed, the European Union remains ready to consider how to assist the Government of Angola in facing the challenges of rebuilding and reconstructing the country within a democratic environment. Particular attention will continue to be given to humanitarian assistance in order to alleviate the suffering of the Angolan population affected by the conflict.

The adoption of the draft resolution before us today will be a concrete sign of the international community's

commitment to finding peace in Angola. This is an endeavour that demands much from a number of countries and requires the cooperation of all involved. The European Union urges all Member States to ensure thorough and consistent application of all the provisions of the sanctions against UNITA. The European Union is committed to rigorous enforcement of the sanctions. On our part, we reaffirm our determination to continue supporting international efforts to tighten United Nations sanctions against UNITA. The European Union and its member States have already instituted a number of measures specifically designed to improve the enforcement of the sanctions regimes. In this regard, the European Union also stands ready to examine what assistance it might provide to the Southern African Development Community countries in their efforts to implement the sanctions regimes.

It is important that decisions of this Council be respected and be seen to be respected. We must therefore be creative in finding methods and resources to follow up and improve the implementation of the sanctions. The efforts of both the Committee on sanctions against UNITA and the Panel of Experts have given us a welcome opportunity to do just that.

The European Union attaches great importance to the social and economic development of the whole southern African subregion. For this to be a reality, the peace and stability of Angola are vital components and we must continue to strive to attain this elusive goal.

The President: The next speaker is the representative of Belgium. I invite him to take a seat at the Council table and to make his statement.

Mr. Adam (Belgium) (spoke in French): I thank you, Mr. President, for having agreed to preside over this important meeting of the Security Council and I congratulate Canada for the eminent role it is playing and in particular Ambassador Fowler for the delicate task he is discharging with honour. I also welcome most particularly the presence among us of the Minister of External Affairs of Angola. I subscribe fully to the statement that has just been made by the representative of Portugal on behalf of the European Union.

Belgium unreservedly supports the aims pursued by the sanctions Committee and believes that the report of the Panel of Experts constitutes a significant stage in the search for solutions that would allow Security Council sanctions against UNITA to be effectively applied.

The report that was submitted to the Council on 10 March is innovative, and it attests to the will to tackle the causes of and the real responsibility for the violations of the sanctions. This is why the international community has the right to expect that the quality of the report measures up to the expectations it created and that the recommendations resulting from it will allow for a genuine improvement in the effectiveness of the sanctions.

Belgium attaches all the more importance to these problems since in recent months it itself has engaged in significant deliberations and consultations aimed at examining the various actions that can be undertaken to contribute to peace and stability on the African continent, in particular in Central Africa. The recent missions to the region by several members of the Belgian Government are a concrete illustration of this. Their main purpose was to encourage all the parties directly involved to implement the Lusaka agreements and to support the restoration of peace in the Great Lakes region. All steps aimed at reducing the suffering of the populations of African countries affected by wars, such as Angola and Sierra Leone, will therefore receive Belgium's firmest support.

It is from this perspective that Belgium took a great number of measures aimed at ensuring the application of the sanctions of the Security Council, actions that unfortunately were not mentioned in the report of the Panel of Experts that was the subject of the debate in the Security Council on 15 March. I made this point on that occasion, and I would appreciate it if the Council would take note of those measures.

First of all, I want to stress that Belgium cooperated from the beginning, and without reservation, with the sanctions Committee and with the Panel of Experts.

An inter-ministerial working group, referred to as the task force, was set up, and it includes all the ministries and Belgian services concerned. The group has met seven times since the beginning of the year and has studied and adopted several measures to improve control over the origin of diamonds. This task force led to a reinforcement of customs controls and to the start of judicial inquiries against people suspected of illegally trafficking in diamonds.

I wish to recall that Belgium is the only European Union country that has a licensing system for the import and export of diamonds. Besides the customs controls, a second, physical inspection of all imports and exports is carried out by sworn experts. Our country is also

considering the adoption of a law on extraterritoriality for crimes in the diamonds sector.

The control of the provenance and the origin of diamonds, which the Panel of Experts took up in paragraphs 92 and 95 of its report, constitute a key element of a problem whose complexity cannot be underestimated. The possibility of identifying with certainty the origin of a diamond through a physical examination is for the moment considered by specialists to be an almost impossible endeavour. The number of diamonds of small size dealt with each year is in the hundreds of millions. Moreover, it remains difficult to distinguish between diamonds coming from different mining areas that extend beyond borders. Lastly, determining the origin of a diamond is not enough to establish when it was extracted from a given deposit; moreover, that deposit may even have passed from the control of the Government to that of Savimbi. Belgium nevertheless remains convinced that effective procedures intended to control the diamond trade can be developed and continues actively to encourage research undertaken in this field. Furthermore, Belgium is the only country to have detailed statistics in this area that make it possible to identify trends. These data are at the disposal of all interested parties.

The Diamond High Council of Antwerp, a body that represents the private diamond sector, took into account the recommendations of the Chairman of the sanctions Committee. It took steps intended to lead to a better application of the sanctions, *inter alia*, through the establishment of a task force on Angola. Together with Angolan authorities, it has set up a system of issuing more reliable certificates of origin. At the request of the Government, it is also engaged in reviewing its procedures. Let me also mention that another working group that includes representatives of the Belgian Government and the Diamond High Council was created with the mission of drafting a programme of measures to be taken. This group met for the first time in September 1999.

The Diamond High Council also signed an agreement with the relevant judicial authorities, by virtue of which it is committed to centralize and to communicate all information that comes to its attention having to do with criminals or criminal activities. A study is being carried out within the High Council, and preliminary contacts have been made to examine to what extent a system of control comparable to that in place for Angola is also possible for Sierra Leone.

The physical control of the arrival or dispatch of diamonds is done in Antwerp by sworn experts. Since the introduction of sanctions against UNITA, no case of embezzlement has been noted. However, it was judged that the administrative statute relating to these experts should be reformed, and currently the competent governmental authorities and the Diamond High Council are discussing a new statute. When those deliberations are concluded, the sanctions Committee will be informed of their results.

Belgian expertise in diamonds is recognized and long-standing. Belgium will always put this expertise at the disposal of the international community, *inter alia*, within the framework of the conferences of experts on this subject. An international conference of representatives of all the diamond centres will be convened in Antwerp in July, in which Ambassador Fowler will participate.

The report of the Panel of Experts on violations of Security Council sanctions against UNITA constitutes, in the eyes of our country, a significant instrument contributing to the resolution of the problem arising from the illicit financing of groups that perpetuate wars in which the first to suffer are civilians.

Belgium reiterates its complete willingness to continue to work in close collaboration with the sanctions Committee and with its Chairman, Ambassador Fowler.

The President: I would like to thank the representative of Belgium for his very detailed presentation. I am also grateful that the senior representative of the Diamond High Council could also be with us today.

The next speaker inscribed on my list is the representative of Bulgaria. I invite him to take a seat at the Council table and to make his statement.

Mr. Sotirov (Bulgaria): May I say how pleased we are to see you, Sir, presiding over this important meeting of the Security Council. We would also like to welcome the participation of the Minister for External Relations of Angola in this debate.

On behalf of the Bulgarian Government, I would like to welcome the forthcoming adoption of the Security Council's draft resolution on Angola. We believe that this draft resolution will further strengthen the effectiveness of the sanctions regime against UNITA and will contribute to putting an end to the bloody civil war in Angola. We are confident that the role of the Security Council is

instrumental in bringing peace and reconciliation to that country, as well as more stability to the whole African continent.

Allow me also, through you, Mr. President, to congratulate Ambassador Robert Fowler, Chairman of the sanctions Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, for his ability to guide the Council towards final agreement on what appeared to be a complex and multifaceted text by accommodating a large number of views and proposals. Bulgaria very much hopes that this balanced and realistic document will be diligently implemented and will serve as an efficient tool for improving the implementation of sanctions and curtailing violations of relevant Security Council resolutions.

My delegation aligned itself with the statement made by the representative of Portugal on behalf of the European Union, and fully subscribes to the positions expressed therein on the situation in Angola. Therefore, I will confine my intervention today to some issues of particular importance to my country.

Let me reiterate that Bulgaria entirely shares the noble motives and goals that inspired the Council's decision to entrust qualitatively new tasks to the Panel of Experts created by resolution 1237 (1999). The Panel succeeded in increasing the awareness of United Nations Member States about the urgent need to curb illegal arms transfers and other support to UNITA. In fact, today's session demonstrates that following the Panel's report the international community is stronger and more united in its will to achieve compliance with the sanctions and to hold violators accountable.

My Government on several occasions had the opportunity to express its comments and observations, particularly on the parts of the Panel's report pertaining to Bulgaria. It is worth mentioning that serious doubts were raised not only by Bulgaria but by a number of delegations, including Security Council members, about the working methods and credibility of sources used by the Panel, as well as its objectivity and ability to substantiate its findings by concrete evidence. Now I would like to offer some additional comments to the views already put forward on this matter.

We are of the opinion that when there are grounds to suppose that a Member State could be involved in sanctions violation, all relevant evidence should be made available to the that Government for consideration and

reply. We are not satisfied by the explanation given to our written request submitted in this respect that the Panel's report is "a self-contained document". Such an argument simply does not and cannot suffice, especially when a country's good name is, without foundation, unfairly damaged.

We believe that only an impartial and balanced approach could contribute to putting an end to the violations of United Nations sanctions, not against UNITA only but in a global context as well. It seems that such an approach has gradually evolved as a result of the recent deliberations in the Security Council and on the application of the sanctions against UNITA. The established six-month period will allow for additional analysis and monitoring of the implementation of the sanctions and, hopefully, for more precise conclusions.

Despite its reservations and rejection of the unsubstantiated accusations against Bulgaria, my Government has given serious consideration to the Panel's report. A governmental commission was promptly established to investigate all circumstances related to possible involvement of Bulgarian institutions and individuals in activities that might constitute violations of Security Council sanctions against UNITA. A number of preliminary results of its ongoing investigation have been made available and duly communicated to the Council members with a view to facilitating their work.

Having already cooperated in good faith with the Panel of Experts, Bulgaria is now ready to offer its full cooperation and support to the future monitoring mechanism. Needless to say, we shall provide it with all relevant information available to us in order to facilitate its work and further clarify the facts related to the conclusions and recommendations of the former Panel's report. Bulgaria is confident that such a transparent and responsible approach will be duly appreciated and will help consolidate its reputation as a reliable member of the United Nations community.

At the same time we very much hope that a number of lessons learned from the former Panel's report will be taken into account in the activities of the new monitoring mechanism. We expect it to work by combining transparency with confidentiality and using only trustworthy and verified information from reliable sources. We also expect it to pursue its mandate in close cooperation and consultation with the Governments concerned. Furthermore, the established procedure should

be strictly observed so as not to allow any irresponsible and untimely "leakage" to the media.

The composition and activities of the future monitoring body should also reflect the principles of objectivity, impartiality and non-selectivity, which we deem to be essential for the final outcome of its work. It is our view that none of the countries referred to in the report should be represented in the new body. Given the serious reservations shared by various delegations, we even doubt whether it would be appropriate for experts who participated in the former Panel to be included into the new one.

We fully share and support the provisions of the draft resolution on measures to be taken at the national, regional and international levels in order to curb illicit arms supplies to UNITA. However, the tasks we are facing not only in Angola but in Africa as a whole are obviously of broader magnitude. Alleged violations of UNITA sanctions have once again brought up the challenging issue of illicit arms brokering. In view of its complexity and global nature, this challenge cannot be addressed by a single country but should be tackled comprehensively through the concerted efforts of the entire international community. In this respect the present resolution will contribute to strengthening national and international control over conventional and small arms and their proliferation to Angola/UNITA and other African States. We are looking forward to the major input of the United Nations conference on illicit trade in small arms and light weapons to be held in 2001.

In concluding, let me assure you, Mr. President, of my Government's willingness to continue its cooperation with the Security Council and its subsidiary bodies on monitoring sanctions against UNITA and to contribute to the collective efforts of the international community for preventing illicit arms trafficking, including through measures at national, subregional and regional levels.

The President: The next speaker on my list is the representative of Mozambique. I invite him to take a seat at the Council table and make his statement.

Mr. Dos Santos (Mozambique): Allow me to begin, Mr. President, by expressing my delegation's sincere appreciation and congratulations on your deserved assumption of the presidency of the Security Council for the month of April. The leadership you have already displayed assures us of success in the deliberations of the Council.

I would also like to extend our appreciation to your predecessor, Ambassador Anwarul Chowdury of Bangladesh, for the excellent manner in which he conducted the affairs of the Council last month.

It is only fitting that you should be chairing this particular Council meeting. The contributions of your Permanent Representative to the question of Angola have been remarkable, particularly in his capacity as the Chairman of the Security Council Committee established pursuant to resolution 864 (1993). In that capacity on March 10 he presented the unprecedented report of the Panel of Experts on violations of Security Council sanctions against UNITA. I wish to convey my delegation's great appreciation to Ambassador Fowler and to the Panel of Experts for outstanding service on behalf of the Security Council.

The report is an important and valuable instrument that will help the Security Council and the international community to act credibly and forcefully against the UNITA of Jonas Savimbi as well as against his supporters. On the basis of information and evidence available to it, the Panel of Experts clearly identifies who is violating sanctions against UNITA, and how, and who is contributing to prolonging the suffering of the people of Angola. The Panel also offers suggestions on measures to be taken in order to curtail the situation.

The 39 recommendations contained in the report represent a well-thought-out strategy to make Security Council sanctions more effective, thus forcing UNITA to abide by the commitments it undertook when it signed the Lusaka Protocol in 1994. The recommendations provide also for measures against those supporting UNITA in flagrant violation of Security Council sanctions. Because we believe in the merit of those recommendations, we wish to take this opportunity to express our support to all recommendations contained in the report of the Panel of Experts.

We applaud all members of the Council for their decision to establish the Panel of Experts with such a remarkable mandate. Now that the result of the Panel's work is before them, it is the responsibility of Council members to see to it that the exercise is worthwhile and to take the next step.

The report clearly states, *inter alia*, that in order to add credibility and seriousness to the sanctions against UNITA appropriate measures must be taken against those who are violating them. The report emphasizes the need

for stricter control on the flow of illicit arms and petroleum products to UNITA-controlled areas. It also recommends that traders and other individuals or companies found to be breaking sanctions relating to UNITA-held diamond should lose their registration, be placed on an industry blacklist and be barred from any involvement in the diamond industry. Diamonds should bring prosperity, not impose continued suffering on the Angolan people. Sanctions violators are increasing the ability of UNITA to wage war and are consequently prolonging the suffering of our brothers and sisters in Angola and the destruction of that country's infrastructure and resources.

It is reported that as a result of the work of the Panel of Experts and the release of the report on sanctions against UNITA, it has become harder for Savimbi to sell diamonds and buy weapons. That positive development shows the real impact of sanctions when they are strictly applied.

We are encouraged by the information that several States are establishing, at the national level, commissions and other mechanisms to investigate allegations of sanctions violations. We hope that they will work expeditiously and produce results that will be made known to the international community. Any delay in that process could mean that another life is lost in Angola.

A number of paragraphs of the report make reference to the Southern African Development Community (SADC) and to the important role that SADC countries should play in implementing measures to strengthen sanctions against UNITA. Those measures are related to inspecting and monitoring petroleum products supplies and the introduction of mobile radar systems with the objective of detecting illegal flight activity, among other measures. We in SADC support all measures aimed at strengthening the sanctions regime against UNITA and those which will bring peace and stability to Angola, which is a member of our regional organization.

While SADC countries will study existing capacities within the region, it is clear that to implement the measures mentioned in the report they will need substantial technical and financial support from the international community so that they are not found wanting. We would therefore appeal to those in a position to do so to support SADC countries in carrying out this task. We welcome pledges of support from members of

the Council, including your own Government's pledge, Mr. President.

Humanitarian assistance is also required for the Angolan populations that have fallen victim to this senseless war imposed by Jonas Savimbi.

We believe that the Council's credibility is at stake, for it has taken a bold decision which should be realized — a decision that represents a real shift in the way the Council enforces its decisions and conducts its business. There is a real opportunity for the Council to make significant progress and to reassert its authority as a guarantor of international peace and security. We believe that a resolution commensurate with the task at hand would do justice to the excellent work done by Ambassador Fowler and the Panel of Experts.

We believe that this is the least that the Council can do for the Angolan people, whose Government has shown the necessary commitment, flexibility, accommodation and desire for peace in our sister country. The presence here of His Excellency the Minister for Foreign Relations of Angola is yet another demonstration of his Government's commitment to peace in Angola.

The President: I thank the representative of Mozambique for his very kind words.

The next speaker is the representative of New Zealand. I invite him to take a seat at the Council table and to make his statement.

Mr. Powles (New Zealand): Let me congratulate you, Mr. President, on bringing this important matter to the Council in this open format. I would like also to acknowledge the significance of the presence here today of the Foreign Minister of Angola.

One of the key findings of the study entitled "The Sanctions Decade", which was launched yesterday morning by the International Peace Academy, is that the most important element in the success of sanctions is the degree to which they are enforced. My Government believes that Ambassador Fowler, by his leadership and his energetic chairing of the Angola sanctions Committee, and the Panel of Experts, which has reported specifically on violations of the Angola sanctions regime, have done the people of Angola and the United Nations a tremendous service.

We cannot forget that an estimated 1 million people have died in the fighting in Angola over the past 25 years.

That is despite successive United Nations peacekeeping and mine-clearance operations to which my own country contributed throughout much of the last decade. Nor can we forget the callous shooting down of two United Nations aircraft, in December 1998 and in January 1999; the perpetrators of those acts have still to be brought to justice.

The Panel's report casts some sunlight on the subterranean world of sanctions-busting in diamonds, arms and military equipment and other means of support for UNITA's continued war against the legitimate Government of Angola. That war continues to take the lives of 200 persons each day. UNITA must be deprived of the means to wage war. It is essential that all Member States respect their obligation to comply fully with the measures imposed against UNITA contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998).

The Panel's report points the way towards the more effective use of the sanctions tool by the Council in the future. For sanctions to remain credible, the Council must act when violations are brought to its attention, as they have been in the case of Angola. We therefore strongly endorse positive action on today's draft resolution, which contains a comprehensive range of measures to ensure the cessation of the violations identified in the report of the Panel of Experts.

The President: I thank the representative of New Zealand for the kind words he addressed to my delegation.

The next speaker is the representative of the United Republic of Tanzania. I invite him to take a seat at the Council table and to make his statement.

Mr. Mwakawago (United Republic of Tanzania): My delegation welcomes with pleasure this opportunity to address the Security Council. It is a greater pleasure to do so under the Canadian presidency — especially under your own leadership, Sir — when addressing a subject in which Canada, under the chairmanship of Ambassador Robert Fowler, has invested so much. We are particularly honoured that you, Minister Axworthy, have taken time from your other ministerial functions to chair these discussions. The presence of a delegation from the Canadian House of Commons is clear proof of your Government's commitment to the establishment of a sanctions regime which not only works but also produces the intended results.

We want to commend the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, and the Panel of Experts on violations of Security Council sanctions against UNITA established by Council resolution 1237 (1999), chaired by Ambassador Möllander, for the report on violations of Security Council sanctions against UNITA. We do not and must not underestimate the boldness required to produce such a compelling report.

It has been noted that the recent record of sanctions is an account of successes and failures. The Panel of Experts' report on UNITA sanctions is clear proof that these sanctions have been allowed to fall into the latter category. Indeed, the state of failure appears so pervasive and pertinent that it is only legitimate to undertake a comprehensive re-examination of the circumstances and procedures regarding the application of Security Council-mandated sanctions. In this regard, we must welcome the Council's decision yesterday to establish, on a temporary basis, an informal working group of the Council to develop general recommendations on how to improve the effectiveness of United Nations sanctions.

We must nonetheless caution that the more effective use of sanctions by the Council will also depend on how well the Council deals with the violations put forward by the Panel of Experts. UNITA sanctions were imposed to secure specific objectives. They were imposed to counter not only perceptions of impunity on the part of UNITA leadership, but also as a tool to end the suffering of the people of Angola. If those who could be proved to have aided and abetted Mr. Savimbi do not suffer any consequences, the legitimacy of sanctions as an effective tool available to the Council will be severely undermined.

There is no denying that the people of Angola have suffered enormously. In spite of the enormity of their pain, it might not be too late to reassess what can now be done differently to bring their torment to an end. What the report of the Panel of Experts can achieve in the short term is to focus our attention on strengthening the framework against which sanctions on UNITA were imposed.

The Panel of Experts makes useful recommendations, which, if acted upon promptly, will bring Savimbi's roof tumbling down. We should not, however, lose sight of the fact that the implementation of some of these quite apt recommendations relies on the capabilities of countries that are severely constrained in that regard. Our collective partnership in enhancing their necessary capabilities will therefore remain critical. At this juncture, I welcome the

assurance of support and assistance to the Southern African Development Community (SADC), of which we are a member.

UNITA has taken the Council for a ride for too long. Reports that it has not been doing so alone are cause for great concern. We therefore also welcome and support the establishment of a mechanism which would seek additional information concerning the serious allegations in the report. We urge and support stern measures by the Council against proven violations.

We recognize that others may want to avoid the political consequences of such an outcome. We also realize that the report raises serious questions regarding the conduct of certain political leaders. It is gratifying to remember, however, that the grave charges against those who have proclaimed their innocence can be lessened only through a fair process. In the end, it would be fair to let the chips fall where they may. Those who are culpable must bear the responsibility.

We have welcomed the report of the Panel of Experts. Above all, we have welcomed it because it provides us with the added benefit of increasing our knowledge base and experience in developing a more systematic approach for dealing with sanctions violations. We therefore also welcome the Canadian proposal to convene a conference of experts to develop a regime to govern the use of sanctions. It is our hope that it will be inclusive of a broad range of perspectives.

Mr. President, you have succinctly observed that

"Sanctions are economic statecraft in action. When purposefully used and implemented to prevent or stop aggression, violence and abuse, this is statecraft in the service of people." (S/PV.4128)

Regrettably, this statecraft has so far failed the people of Angola.

The President: I thank the representative of the United Republic of Tanzania for the kind words he addressed to me.

The next speaker on my list is the representative of Gabon. I invite him to take a seat at the Council table and to make his statement.

Mr. Dangué Réwaka (Gabon) (*spoke in French*): I should like at the outset to express my satisfaction and that of the delegation of Gabon at seeing you, Sir, preside over this meeting of the Security Council on Angola, a country that has suffered through almost 30 years of war. Your presence here at this Council meeting attests to the importance that you and your country, Canada, attach to the restoration of peace and security in Angola. I should like also to thank your predecessor, Mr. Anwarul Karim Chowdhury, the Permanent Representative of Bangladesh, for his excellent work as President last month.

The Gabonese authorities have long been greatly concerned over the conflict situation in the sister Republic of Angola. In 1988 and 1989, President Omar Bongo himself deployed every effort in support of peace and national reconciliation in Angola. At that time, he and his peers — Mr. Robert Mugabe of Zimbabwe, Mr. Kenneth Kaunda of Zambia, Mr. Dos Santos of Angola, Mr. Sassou Nguesso of Congo, the late Mr. Mobutu of the former Zaire, Mr. Chissano of Mozambique and Mr. Pinto da Costa of Sao Tome and Principe — were seeking together a solution to the Angolan conflict.

In that spirit, and in seeking implementation of the Bicesse peace Accords, the Lusaka Protocol and the relevant Security Council resolutions, the President of the Republic of Angola, Mr. José Eduardo dos Santos, and Mr. Jonas Savimbi met on 10 August 1995 in Franceville and then on 1 March 1996 in Libreville. Those two meetings were organized following agreement with the Angolan authorities and the Special Representative of the Secretary-General at the time, the late Maître Alioune Blondin Beye. May his soul rest in peace.

Following UNITA's refusal to comply with the commitments entered into, including those in the Lusaka Protocol, the Gabonese and Angolan authorities agreed to work together closely to encourage UNITA to comply with its obligations under all relevant agreements.

I should also like to recall that, within the context of the United Nations Standing Advisory Committee on Security Questions in Central Africa, in 1993 a non-aggression pact was signed among countries of the subregion. Under the terms of that pact, and as a matter of principle, Gabon does not allow or encourage any destabilizing actions against other States, least of all from its own territory.

It is thus clear that Gabon has always supported, and will continue to support, the efforts of the Government of Angola to restore a lasting peace there.

The report of the Panel of Experts of 10 March 2000, contained in document S/2000/203, refers to sanctions violations in the area of weapons, military equipment, diamonds, UNITA's material and financial assets and petroleum and petroleum products, as well as travel and representation abroad by UNITA members.

According to the Panel of Experts, Gabon delivered 150,000 litres of fuel to UNITA, aircraft coming from UNITA-controlled areas often refuelled in Libreville before returning to Eastern Europe, and UNITA had "unofficial" representation in Gabon, headed by a certain Francisco Camalata who was active on UNITA's behalf but kept a low profile.

Following the publication of the report of the Panel of Experts on 15 March 2000, upon instructions from my Government, I sent a letter to the President of the Security Council and the Chairman of the sanctions Committee established pursuant to Security Council resolution 864 (1993). In that letter, we requested information about, for example, the precise dates and the type and registration of the aircraft in question. We also inquired by what means — by air or by sea — the 150,000 litres of fuel were supposedly delivered to UNITA, given that the State of Gabon does not have such transport facilities available to it.

It is regrettable that the Panel of Experts, which supposedly had information about the accusations made against us — the delivery of 150,000 litres of fuel to UNITA, the refuelling of aircraft coming from UNITA-controlled areas and the hosting in Gabon of an unofficial UNITA representative — not only failed to provide any tangible evidence, but did not even reply to our letter.

It is also regrettable that the Panel of Experts did not take the trouble to visit Gabon. According to paragraph 6 (a) of resolution 1237 (1999), which was adopted by the Security Council under the Gabonese presidency, the mandate of the Panel of Experts is

"To collect information and investigate reports, including through visits to the countries concerned, relating to the violation of the measures imposed against UNITA".

Is it sufficient for the Security Council or its committees simply to make a statement of fact without providing any evidence or for the parties accused to be held responsible for the actions alleged? Were such a practice to continue, would it not risk destroying the credibility and authority of this important United Nations body? Does not this represent a lack of transparency?

Gabon has nothing to be ashamed of. Nevertheless, we carried out initial investigations, working with the Angolan Embassy in Libreville, in an attempt to locate Mr. Francisco Camalata. Our initial investigations have not been conclusive, but we shall continue to pursue them. My Government has sent the Council a detailed report to this effect. Pursuant to paragraph 6 (a) of resolution 1237 (1999), we would like to be able to count on the cooperation of the Panel of Experts in helping us to identify those who might be responsible for such actions, in case we have missed them, so that we can not only punish those responsible, but prevent any recurrence of such actions.

The President: I thank the representative of Gabon for the kind words he addressed to my delegation.

The next speaker inscribed on my list is the representative of Brazil. I invite him to take a seat at the Council table and to make his statement.

Mr. Fonseca (Brazil): The Security Council is honoured today to have been presided over by the Foreign Minister of Canada. Canada is widely recognized within the Organization for its outstanding actions in favour of peace and humanitarian causes. Brazil also warmly welcomes the presence of Mr. João Bernardo de Miranda, the Angolan Minister for External Relations, during the Council's deliberations.

This meeting opens new and promising perspectives for Angola. We remember that in the closing days of February 1999, the expiration of the mandate of the United Nations Observer Mission in Angola occurred amid a deep sense of frustration over the fact that the resources applied by the international community and the people of Angola in the peacekeeping process were not bearing fruit.

UNITA's responsibility for the frustration of the peace process was clear and indisputable. Today, in resuming consideration of the follow-up to the report of the Panel of Experts on violations of Security Council sanctions against UNITA, the circumstances are very different, and hopeful. The Angolan Government has been able to muster its

forces and break UNITA's capacity to wage conventional warfare, and the Security Council and the United Nations have re-established working links with Luanda.

The adoption on 13 April of Security Council resolution 1294 (2000) illustrates this improved relationship. We understand that the Special Adviser of the Secretary-General for Special Assignments in Africa, Ibrahim Gambari, an able and talented diplomat, will soon visit Angola. We are certain his mission will succeed.

This new situation is welcome. Brazil has always underlined the important role that the United Nations should play in Angola. The draft resolution about to be adopted will strengthen the United Nations presence and again brings hope for peace.

In this, the role of the Canadian Ambassador to the United Nations has been decisive. His leadership, determination, genuine belief in United Nations principles and clear understanding of the difference a determined action by the Security Council can make allowed for the elaboration of the comprehensive and innovative draft resolution now under consideration in the Council. The report upon which the draft resolution is based, prepared by the team led by Ambassador Fowler and Ambassador Anders Möllander, imposes upon us the challenge of working seriously and effectively to stop disrespect for the decisions of this Council.

It is a milestone in the effort to strengthen the ability of the United Nations to solve regional conflicts and promote peace, development and democracy. The Fowler report is a model of such a role, as recognized by the majority of the Members of our Organization. In this regard, Brazil would like to stress the decision of the recent Ministerial Conference of the Non-Aligned Movement, held in Cartagena, which urges the Security Council to "adopt the report and pass a resolution on the recommendations contained therein".

That resolution should provide a further legal basis for outlawing any support for Mr. Savimbi's UNITA and send a clear signal that he is no longer an acceptable interlocutor for the peace process. Of great importance is the establishment of a follow-up and monitoring mechanism, as mentioned in recommendation 39 of the report. The report demonstrates in detail the procedures used by UNITA to finance its activities, purchase weapons and involve third parties to avoid compliance

with the obligations it undertook with the "Acordos de Paz" and the Lusaka Protocol.

Brazil has always favoured dialogue and the peaceful settlement of conflicts and will continue to do so in Angola. We advocate, however, that a clear message should be sent to Savimbi — now declared a war criminal by the Southern African Development Community (SADC) and the Organization of African Unity — and his supporters. Brazil wants peace in Angola and is ready to contribute to that end. We know that the most difficult tasks are yet to come. They are to rebuild the country, provide millions of destitute citizens with a minimum level of well-being and the fruition of their rights as human beings.

Brazil wishes to commend the Angolan Government for announcing its intention to hold general elections in late 2001 and the beginning of consultations on a draft new constitution for the country. The next step will be devising measures to complete the construction of a fully democratic State based on the full enjoyment of human rights for all Angolans. The United Nations Office in Angola, through its capacity-building arm, has an important role to play. We hope that it will soon be operational.

That will be possible only if sanctions are enforced and respected so as to ensure disarmament and the complete military demobilization of UNITA. Savimbi must be prevented from completing any financial transaction and from continuing to pursue the diamond trade. His representatives must lose the ability to travel and to work on UNITA's behalf abroad. Those who persist in offering support to UNITA should be convinced that they are extending the suffering of the Angolan people and that they will face public exposure and shame.

The implementation of the measures envisaged in the draft resolution will require additional efforts from the SADC countries and other neighbours of Angola. It is important that the international community extend to them the necessary assistance to shoulder those new tasks.

I wish to reiterate the position Brazil has long defended in this body. The Security Council has to be firm on UNITA and its supporters. This is the only way to bring about the peace that for so long has eluded the brotherly people of Angola.

Peace in Angola will have decisive consequences for the conflict that has been tormenting the region for years. We want Angola to have an important regional and

international role commensurate with its economic potential and with the courage displayed by its people.

The President: I thank the representative of Brazil for his extremely kind words addressed to our delegation. Brazil was an inspiration to Canada on the Security Council and I thank the Ambassador of Brazil for his participation here today.

The next speaker is the representative of Spain. I invite him to take a seat at the Council table and to make his statement.

Mr. Arias (Spain) (spoke in Spanish): I am gratified above all that, given the importance of the topic under consideration, the Minister for Foreign Affairs of Canada has presided over this meeting. I am also pleased to see the Minister of External Affairs of Angola here with us today.

My delegation associates itself with the statement made by the Permanent Representative of Portugal on behalf of the European Union.

Spain is convinced of the necessity, usefulness and effectiveness of the sanctions regime imposed by the Security Council on UNITA. We believe that the sanctions are working and we wish to stress the remarkable and indispensable role that has been played in this respect by Ambassador Robert Fowler, the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola. He has given decisive impetus to this issue, demonstrating yet again his professionalism, effectiveness and diplomatic know-how.

Furthermore, my country welcomes the report of the Panel of Experts established by the Security Council pursuant to resolution 1237 (1999). We believe that the report's contents and imaginative and bold recommendations represent a qualitative step forward with regard to sanctions and an indispensable contribution to a peaceful solution to the situation in Angola. In this context, we congratulate Ambassador Mollander, the Chairman of the Panel of Experts.

We are convinced that all Member States must cooperate to implement these sanctions and remain vigilant in order to ensure their enforcement. The Security Council must be in a position to respond appropriately to sanctions busting.

The President: I thank the representative of Spain for his very kind words addressed to our delegation.

The next speaker is the representative of Togo. I invite him to take a seat at the Council table and to make his statement.

Mr. Kpotsra (Togo) (*spoke in French*): At the outset, I wish to express my pleasure that Mr. Lloyd Axworthy, the Minister for Foreign Affairs of Canada, has come here yet again to preside personally over this important meeting of the Security Council. I also wish to welcome the participation in this debate of Mr. João Bernardo de Miranda, the Minister of External Affairs of Angola.

About one month ago, the Security Council met openly to consider the report of the Panel of Experts established pursuant to resolution 1237 (1999) to investigate violations of sanctions imposed against UNITA. In the course of its statement, the delegation of Togo decried the fact that the report had been released first to the media, to the detriment of the States Members of the United Nations, particularly those that it implicated. At the same time, we deplored the frivolous and entirely unprofessional method followed by the Experts, as well as the lack of consistency of the allegations raised against Togo.

Nevertheless, and in order to make an in-depth study of the substance of these allegations, the Government of Togo decided on 22 March to establish an interministerial commission of inquiry composed of six members, who were later joined by the President of the Constitutional Court, the First Vice-President of the National Assembly and the President of the Supreme Court of Togo. Yesterday, I sent the report drafted by the commission to the President of the Security Council and we expect that it will soon be published as an official document of the Council.

As I stressed in my letter of 24 March 2000, contained in document S/2000/256, it goes without saying that certain allegations can be verified by members of the national commission of inquiry only on the basis of the detailed information requested by my Government. This includes details concerning the type and registration of the aircraft alleged to be involved in the violations of sanctions, as well as the dates and places connected with their refueling in Togo. It is in this context that I would like to reaffirm the willingness of the Government of Togo to cooperate closely with the sanctions Committee.

My delegation is also gratified that the draft resolution soon to be voted on by the members of the Council provides for setting up a monitoring mechanism composed of up to five experts entrusted with the follow-up of the work carried out by the Panel of Experts established pursuant to resolution 1237 (1999). My delegation truly hopes that the observations and comments made during the examination of the report of the Panel of Experts will be taken into consideration, particularly those regarding the working methods followed by the Panel of Experts.

In conclusion, I would like to reaffirm the commitment of the Government of Togo to respect resolutions of the Security Council, particularly those imposing sanctions on UNITA. I would like to emphasize my Government's determination to shed full light on the allegations contained in the report of the Panel of Experts and, more generally, to contribute to efforts to improve the effectiveness of embargo measures.

It is in this context that the Government of Togo is planning to establish a body to follow up and monitor the rigorous implementation of various Security Council resolutions on sanctions against UNITA. We have already decided to invite to Togo the United Nations experts whose previous mission did not lead to a constructive dialogue.

The President: The next speaker inscribed on my list is the representative of Zimbabwe. I invite him to take a seat at the Council table and to make his statement.

Mr. Jokonya (Zimbabwe): We would like to recognize the presence here of Minister Axworthy, and of Minister de Miranda of Angola.

My delegation joins those who have spoken before me in extending congratulations to you, Mr. President, on your assumption of the presidency of the Security Council for the month of April.

Zimbabwe enthusiastically welcomes the report of the Panel of Experts on violations of Security Council sanctions against UNITA and regards it as a privilege to pronounce itself before this body on an issue of such importance.

It is a shame that for more than 20 years now the aspirations of the Angolan people for peace, stability and development have remained thwarted by a handful of

reckless adventurers and misguided zealots who in any civilized country would be rejected and disowned as the lunatic fringe of the political spectrum. The report of the Panel of Experts correctly identifies greed, and not grievance, as the rationale for UNITA's declared war on the Government and people of Angola. Furthermore, in the process of establishing the symbiotic nature of UNITA's relations with Rwanda and Uganda and their surrogates in the Democratic Republic of the Congo, the report also situates the pursuit of economic goals by UNITA, Rwanda, Uganda, the Congolese Rally for Democracy (RCD) and the Movement for the Liberation of Congo (MLC) as the motivation for what we all along regarded as being senseless civil war. Because the report of the Panel of Experts has identified both the economic agendas and the beneficiaries in the armed conflicts that characterize Central Africa's security landscape, my delegation now calls upon the Security Council to immediately raise the opportunity costs of pursuing those agendas through warfare.

Just last week, the head of planning of the United Nations Mission in Kinshasa, Colonel Steve Canyon, reported that Rwanda had deployed fresh troops numbering in the thousands for what could be a decisive force designed to seize central Congo and pave the way for the final march on Kinshasa. The deployment of Rwandese forces in the Kasai province has been facilitated by large-scale UNITA operations in that province. In March this year, the Government forces of the Democratic Republic of the Congo lost the town of Lueza to UNITA.

While embracing unreservedly the measures recommended for the Southern African Development Community (SADC) region in the Security Council draft resolution on Angola sanctions, my delegation submits that as long as Rwanda continues to occupy Congolese territory, UNITA will have a lifeline, since that territory provides the much-needed conduit for its arms and diamonds trade.

Against a background where Rwanda has introduced UNITA to some of its arms brokers and contacts, as has been reported by the Panel of Experts, it can be anticipated that as soon as the sanctions begin to take effect UNITA will expect Rwanda to come to its rescue in its hour of need, as was the case in August 1998 when two Rwandese battalions stranded in the western part of the Democratic Republic of the Congo found sanctuary in UNITA-held areas of northern Angola and were eventually flown back to Rwanda courtesy of Savimbi's contraband-running cargo planes. The report of the Panel of Experts having

established that Kigali is fast becoming a nerve centre for UNITA's external operations, it is only fair to surmise that the Kigali-eastern Congo arms smuggling route offers possibilities for UNITA.

The SADC region has always recognised that the successful implementation of Security Council sanctions against UNITA depends on the capacity and commitment of the member States to deny UNITA the use of the subregion's land routes, airports and airspace. In recognition of the importance of cooperation in implementing the sanctions regime against UNITA, SADC set up a subcommittee in 1997 that recommended the creation of an interdepartmental liaison mechanism within its member States to ensure effective sharing of information between the civil aviation authorities, the immigration and intelligence services and the defence and police forces, as well as the establishment of a mechanism for regional liaison.

The ad hoc committee of ministers met in Harare on 19 November 1997 and set up a task force comprised of personnel from civil aviation, immigration, intelligence, the army and police forces. The task force's terms of reference were defined as monitoring all suspicious aircraft trafficking the subregion's airspace; monitoring all border posts and checking for matériel and goods likely to be destined for UNITA-controlled areas; investigating all allegations of UNITA's activities in the subregion, including companies and individuals providing logistical support to UNITA; investigating all allegations of violations of Angolan airspace, airports and airstrips located in the subregion, which were to be placed under 24-hour surveillance; and ensuring that sanctions imposed on UNITA by the United Nations were not violated by member States.

That task force recommended the establishment of national information centres that would coordinate the collection of data in accordance with task force terms of reference. The task force also recommended that a regional information centre, which would process information received from the national information centres, be established in Harare. The regional information centre was to submit monthly status reports to the national information centres.

Our experience in SADC has shown that the sharing among member States of both strategic and tactical information is an effective method of reducing UNITA's war-making capacity. Zimbabwe, as coordinator of the regional information centre, submitted detailed

operational procedures for the control and monitoring of flights within the SADC region which, when put to use by the member States, resulted in the interception of some of the cargo planes that supplied UNITA with weapons, such as Johannes Parreira's Interstate Airways, which is mentioned in the report of the Panel of Experts. From information gathered by the national information centres, the regional information centre compiled a comprehensive dossier of companies and individuals that engaged in commercial transactions with UNITA. All this information was made available to the Panel of Experts when they visited Harare.

Experience has also taught us that resources are critical if operational information is to be disseminated in a timely manner. In view of the sensitive nature of some of the information that is transmitted between the national information centres and the regional information centre, the immediate relevance of some of that information could be lost if there is no secure means of communication. While SADC is ready to implement the recommendations in the draft resolution, we appeal to the international community to make available the requisite resources, including communications and other monitoring equipment, so that we can resuscitate and improve on the infrastructure that was established three years ago.

We expect the whole world to applaud the sanctions Committee's report and to cooperate with the Security Council in passing and implementing the resolution before it. The postures of those who want to adopt the ostrich policy of burying their heads in the sand and pretending that there is no storm reflect the destructive bravado of the defenders of evil.

There are moral imperatives that dictate that the Council must now act decisively to adopt the resolution under consideration. The United Nations has for some time now elevated the concept of justice and transparency to the level of global ethics. This Council would desecrate its commitment and diminish itself by any accommodation that it makes with Savimbi and those who sup with him. Any act of tolerance would tarnish the Council. Any passivity in the face of what has become in Angola an onslaught on humanity would be a terrible indictment on the United Nations and on the Security Council in particular. The time to act is now.

The President: The next speaker on my list is the representative of Rwanda. I invite him to take a seat at the Council table and make his statement.

Mr. Mutaboba (Rwanda): Once again we wish to congratulate Canada for putting on the Security Council agenda the consideration of important issues which Africa wants to see addressed, namely the situation in Angola under consideration today and the Carlsson report, which this body examined last Friday. I offer my thanks and appreciation to you all.

It is a coincidence that I am speaking after the representative of Zimbabwe, from whom I was expecting an update on the situation in the region and in his country in particular. But I do not wish to divert you from today's topic. May I, with your permission, Sir, welcome the Minister for Foreign Affairs of Angola and wish him well.

Knowing what Rwanda has gone through, we know very well how hard the situation in Angola has been. It has been a cause of concern to us all for long enough, and the Security Council's decisive action under Canada's leadership looks more focused than it has been so far. My delegation wishes to commend this body and Canada for that change for the better, as far as Africa is concerned. We hope that this sign of change will be guided all along by appropriate research methodology principles and practices and the rigor they call for. However, nothing will work if we lose momentum.

Further to, and with reference to, our statements of 15 March and our letter of 29 March, which is a Security Council document (S/2000/283) dated 4 April containing my delegation's comments on the report, we wish to share with the Council that we lost no time in following up on the allegations made against my country and President Kagame, including those repeated by the representative of Zimbabwe tonight. As stipulated in the penultimate paragraph of our comments in that document, our authorities and specialized services have thoroughly investigated the allegations time and again and have come to the same conclusions: our statements are still valid and the allegations are false, especially those just made by Zimbabwe, to include the most recent ones.

That is why, in the spirit of the new draft resolution, we wish to suggest that further investigations be made and subsequent updated reporting carried out to supersede previous ones. Today's draft resolution indeed refers to recent findings and input from States mentioned in the report, while calling for more of them in order to gather more information and comments. We welcome this reference meant to balance the otherwise biased reporting — as we said in the document I have mentioned

before. In the same vein, my delegation has no problem with the establishment of a new team of experts as proposed in the report, but our reservations are along the line of our comments: we wish to see the team more independent, more representative and professionally unquestionable than the previous team, especially when Zimbabwe is included.

This inclusive approach will give us all more chances of objectively knowing the truth and allowing us to double-check the evidence provided, as compared to receiving just some repeated allegations as erroneous as the ones that would mislead this Council in its deliberations. Rwanda wishes to reiterate its commitment to collaborating with the Security Council and Angola in finding lasting solutions to the problem of reinforcing the sanctions against UNITA. We hope that the return of peace and security to Angola and to the region will at last be forged through this body's wise deliberations, and we thank you.

The President: I thank the representative of Rwanda for his kind words.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/2000/323) before it. If I hear no objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands, Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1295 (2000).

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The Security Council will remain seized of the matter.

The meeting rose at 5.30 p.m.



Security Council

Fifty-fifth Year

*Provisional***4130**th Meeting

Wednesday, 19 April 2000, 11.35 a.m.

New York

President:	Mr. Axworthy	(Canada)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Keita
	Namibia	Mr. Andjaba
	Netherlands	Mr. Scheffers
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Ms. Soderberg

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict
(S/1999/957)



The meeting was called to order at 11.35 a.m.

Adoption of the agenda

The agenda was adopted.

Protection of civilians in armed conflicts

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict (S/1999/957)

The President: I should like to inform the Council that I have received letters from the representatives of Australia, Austria, Azerbaijan, Bahrain, Colombia, Egypt, Indonesia, Israel, Japan, New Zealand, Pakistan, Portugal, the Republic of Korea, Singapore and the Sudan, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Ms. Wensley (Australia), Mr. Pfanzelter (Austria), Mr. Kouliev (Azerbaijan), Mr. Buallay (Bahrain), Mr. Valdivieso (Colombia), Mr. Aboul Gheit (Egypt), Mr. Wibisono (Indonesia), Mr. Lancry (Israel), Mr. Kobayashi (Japan), Mr. Powles (New Zealand), Mr. Babar (Pakistan), Mr. Monteiro (Portugal), Mr. Suh Dae-won (Republic of Korea), Mr. Mahbubani (Singapore) and Mr. Erwa (Sudan) took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jakob Kellenberger, President of the International Committee of the Red Cross.

There being no objection, it is so decided.

I invite Mr. Kellenberger to take a seat at the Council table.

If I hear no objection I shall take it that the Security Council agrees to extend an invitation to the Permanent

Observer of Switzerland to the United Nations to participate in the discussion without the right to vote.

There being no objection, it is so decided.

At the invitation of the President, the Permanent Observer of Switzerland to the United Nations took the seat reserved for him at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General to the Security Council on the protection of civilians in armed conflict, document S/1999/957. Members of the Council also have before them a draft resolution prepared in the course of the Council's prior consultations, which will be issued as document S/2000/335.

If I may be allowed, before inviting the Secretary-General to speak, I will just acknowledge the very good attendance at today's meeting. I would in particular acknowledge the presence of 220 students from a model United Nations Assembly, many of whom are Canadians. We welcome these young United Nations delegates who are joining us at today's session, and we are glad to see you here.

I now call on the Secretary-General.

The Secretary-General: I am very pleased to join you today for this important debate dedicated to the protection of civilians in armed conflict. I wish to welcome the Foreign Minister of Canada and to express my appreciation for his commitment to making this issue a priority for the entire United Nations system. I also wish to welcome the new President of the International Committee of the Red Cross (ICRC), Mr. Jakob Kellenberger, to this meeting.

The first debate on civilians in armed conflict last year laid the groundwork for today's vital effort to transform our words of commitment into a better, safer reality for the most vulnerable of our world. I am pleased to say that both the Security Council and the General Assembly followed up last year's debate with concrete steps. The General Assembly has focused its efforts on strengthening legal protections: the adoption of a text by

the working group on an optional protocol to the Convention on the Rights of the Child, and the expansion of efforts to strengthen and extend the Protocol to the 1994 Convention on the Safety of United Nations and Associated Personnel. The Security Council has also taken action to provide enhanced protection for civilians. These efforts have found most concrete expression in establishment of the peacekeeping operations in Sierra Leone, East Timor and the Democratic Republic of Congo.

The mandates of the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations Transitional Administration in East Timor (UNTAET) made specific provision for the protection of civilians, and the mandates of UNAMSIL and the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) provided for support for the protection of children through the deployment of Child Protection Advisors.

The efforts within the Council and the General Assembly have been supported in a variety of ways by the Secretariat and United Nations agencies, as well as by non-governmental organizations, our valued partners. We have sought to strengthen the protection of internally displaced persons, most recently in February of this year, when my Representative on Internally Displaced Persons undertook a mission to Burundi to urge the Government to dismantle the regroupment camps.

Elsewhere in Africa, the Office of the United Nations High Commissioner for Refugees (UNHCR) is implementing programmes for prevention and response to sexual violence in Tanzania, Kenya, Guinea, Liberia and Sierra Leone. Working with representatives in the field, the United Nations Children's Fund, the World Health Organization and my Special Representative for Children in Armed Conflict have negotiated "days of tranquility", making arrangements in Angola, East Timor, Sierra Leone and Sri Lanka in order to permit immunization and vaccination campaigns.

My report on the protection of civilians in armed conflict contained a number of recommendations. Today, I wish to draw particular attention to three of them and urge the Council to give greater consideration to their implementation. Perhaps the most far-reaching of the recommendations related to the creation of a rapid deployment force. During the very same week that I urged this step, events in East Timor offered the clearest evidence of the need for such a capacity. In that case, thankfully, the Australian Government, supported by other Council members, stepped in to fill the vacuum.

Nevertheless, the crisis underscored the importance of having a more systematic rapid-reaction capacity in the United Nations. I urge the Council to support these efforts and to consider taking further steps towards this fundamental strengthening of the Organization's ability to protect civilians in armed conflict.

The second recommendation I wish to mention relates to cases where there has been sufficient warning of impending attacks or an escalation of conflict and where the Council has in some instances made use of preventive deployments.

In February this year, we successfully concluded such a mission in the Central African Republic. The positive impact of preventive measures continues to be proved also by the role of the United Nations Mission of Observers in Prevlaka as a stabilizing force in the Prevlaka peninsula. I welcome the Council's willingness to consider the future establishment of preventive missions, including the dispatch of monitors and fact-finding missions, when we know that they can truly make the difference between the peaceful settlement of disputes and violent conflict.

Where a conflict has already led to a mass exodus of a civilian population, a critical element in enhancing their protection lies in improving the security of the refugee camps. This was the focus of the third recommendation I wish to note today. Since the introduction of my report, UNHCR and others have taken a number of initiatives in relation to the security, civilian and humanitarian character of the camps and settlements. Such efforts have included the provision of material support to local security services in Kenya and Tanzania and an arrangement in the refugee camps in the former Yugoslav Republic of Macedonia that enabled Swedish police officers to work in partnership with the local police.

Efforts have also been made to relocate a number of refugees away from borders in Albania, Guinea, Liberia, Chad, the Central African Republic and the Democratic Republic of the Congo. In Zambia, on the border to Angola, UNHCR cooperates closely with the International Organization for Migration and the World Food Programme to move refugees to other locations either through airlifts or by road.

In future conflict situations, it may be necessary to consider temporary security zones and safe corridors for the protection of civilians and I welcome the Council's

readiness to consider the feasibility of such measures. However, I must emphasize that, in situations where the consent of the parties is not forthcoming, such security zones require the presence of a credible force.

This open debate of the Council bears vivid testimony to a growing recognition that our first duty in any conflict is to protect innocent civilians, who have no part in the fighting, who have nothing to gain from its persistence and who have no choice but to rely on the international community to help them in their most desperate hour of need. To answer their call is our most important obligation under the Charter, and it is my hope that this debate will give further impetus to our efforts to do so.

The President: I thank the Secretary-General for his very evident leadership on this very crucial issue.

At this meeting, the Security Council will hear a briefing by Mr. Jakob Kellenberger, President of the International Committee of the Red Cross, to whom I give the floor.

Mr. Kellenberger: I thank you, Mr. President, for your invitation, which attests to the recognition of the role played by the International Committee of the Red Cross (ICRC) in an area at the core of its concerns: the protection of civilian populations in armed conflict. It gives me particular pleasure to take the floor under your presidency, Sir, as you are a convincing promoter of the concept of human security — a concept close to my heart.

The importance of taking the humanitarian dimension into account in maintaining international peace and security is now generally acknowledged. The open debate that took place in March at the initiative of the Bangladesh presidency is evidence of firm commitment to pursuing that course. That commitment should be translated into even more tangible measures.

The ICRC's action is rooted in international humanitarian law. As guardian of that body of law, the ICRC endeavours to ensure that it is respected by all parties involved in conflict, be they Governments or non-state entities. Through its presence in more than 80 countries, the ICRC establishes a dialogue with all actors in conflicts with a view to creating a relationship of trust, thereby securing the practical implementation of humanitarian law and making sure that we have access to all victims of armed conflicts in order to protect and assist them.

The protection of civilians is at the centre of that law. I would, however, like to point out in passing that humanitarian law also protects combatants, in particular those placed *hors de combat*: prisoners of war and sick or wounded members of the armed forces. For this protection to be effective, all States must ratify the humanitarian law instruments, such as the 1977 Protocols Additional to the Geneva Conventions. Furthermore, it is crucial that States adopt national implementation measures and give instruction in the law, especially to their armed forces. These various aspects of legal protection are vital and we are glad to see that they are mentioned in the Secretary-General's report.

Despite all the horrors that we witness and are often powerless to remedy, and despite the obvious limits to what is known as legal protection, we are convinced that humanitarian law is as relevant as ever. This was one of the conclusions of a major survey, entitled "People on War", carried out by the ICRC last year among the population of several countries, most of which had been affected by war. The survey strongly reaffirmed the importance of maintaining the distinction between civilians and combatants, the cardinal principle of humanitarian law.

In practice, however, that distinction is tending to become blurred. Indeed, civilians have become the primary victims and often the very object of war. Various reasons, mainly ethnic, religious, economic and social, are put forward to explain this phenomenon. Those causes are compounded by other factors, such as the emergence of paramilitary groups, whose members may have had no proper training and whose actions may be unpredictable, sometimes committing atrocities and becoming easy targets themselves. An equally worrying fact is that members of regular armed forces, if they are without resources because they have not received their pay, may resort to all sorts of excesses in order to survive.

The aim of humanitarian law is to protect the civilian population as a whole against attack, whether targeted or indiscriminate, and against acts of violence and abuse of all kinds. Humanitarian law also provides specific protection for certain categories of victims, such as women, children, internally displaced persons, refugees and persons reported missing. The work of the ICRC, therefore, cannot be limited to certain categories; it encompasses all victims, while taking into account their particular vulnerability.

Violations of humanitarian law perpetrated against civilians cause mass population movements. Millions of people are terrorized and forced to flee for their lives, or are driven from their homes and sometimes resettled against their will in camps or villages.

Today the ICRC affords protection and assistance — often the two cannot be separated — to some five million displaced persons. Africa is particularly severely affected. In Angola, the new upsurge in fighting has caused a mass exodus from rural areas into towns. The ICRC is providing aid in the form of food, medical assistance and agricultural rehabilitation for some 330,000 displaced persons and residents in the Huambo and Kuito areas.

In the Democratic Republic of the Congo, the ICRC is supplying about 200,000 vulnerable people with food and other relief, not to mention the support given to the medical infrastructure, the ICRC's efforts to gain access to persons deprived of their freedom, and the distribution of safe water to hundreds of thousands of people.

In Colombia, where it has been working since 1969, the ICRC has set up, in cooperation with the Colombian Red Cross, an aid programme for displaced victims of the internal conflict. In 1999 the ICRC alone gave emergency assistance to some 170,000 displaced people.

To take one last example — and I am mentioning only some of the most striking examples — in Afghanistan, where it has 70 expatriate staff and over 1,000 national employees, the ICRC is assisting thousands of displaced families and families who have returned to their places of origin, and 23,000 more in Kabul where the head of the family is widowed or disabled. In addition, over 150,000 people receive medical care thanks to the programme of support for hospitals. Altogether, the ICRC provides full or partial support for more than 30 surgical units and runs five limb-fitting centres.

These needs are so enormous that they could never be covered by a single organization. The ICRC, concerned to achieve maximum efficiency, takes part in the examination and formulation of strategies designed to strengthen consultation and cooperation with other humanitarian actors, in particular the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations specialized agencies and others, so as to ensure complementary action and avoid duplication of work. This cooperation and coordination takes place laterally and on the operational level in the field.

The ICRC endeavours to promote harmonization of the approaches of the various humanitarian agencies. Since 1996 it has held four workshops on the protection of victims of armed conflict to help enhance the effectiveness of humanitarian and human rights organizations. The main thrust of this initiative is to clarify the concept of protection as understood by humanitarian law, human rights law and refugee law. In regard to displaced persons, the ICRC has drawn attention to the untoward consequences that can result from the simple transposition of long-term solutions appropriate for refugees onto persons displaced within their own country. That being said, I remain convinced that cooperation and coordination between the different humanitarian actors can and must be improved. In this effort, the ICRC can be counted on to act in the interest of the victims without compromising its independence, neutrality or impartiality. These three principles have no merits on their own but are designed to allow us to do our job in the field as effectively as possible and also to have, through that presence, an adequate early warning capacity.

I should like now to say a few words about particularly vulnerable categories of persons.

As concerns women in war, the Geneva Conventions and their additional Protocols afford women, as civilians, the same general protection as men. However, these instruments recognize the necessity of offering women specific protection because of their special needs. Despite these rules, women continue to suffer and, all too often, to be the targets of violence in armed conflicts. The parties to conflict are obliged to ensure the protection of, and respect for, women. It is high time for that protection to become a reality. Improving the protection of women and girls in times of armed conflict is a priority for the ICRC.

Indeed, this resolve has taken shape in a project entitled "Women affected by armed conflict". The ICRC is currently drawing up guidelines for its operational activities relating to protection and assistance for women in times of armed conflict. This commitment takes the form of a four-year programme covering, among other things, the dissemination of the rules of humanitarian law protecting women and the issue of sexual violence. The ICRC has also undertaken to make sure that all its activities take account of the needs of women and girls, on the basis of a study which is nearing completion. An intensive awareness-raising campaign is under way in the media. Before Beijing + 5, a film produced jointly with

the BBC, a radio programme and a new brochure on women in war will be prepared and ready.

It is impossible to broach this matter without recalling Canada's special commitment to the issue and the role played by the Canadian Government and Red Cross Society during the twenty-seventh International Conference of the Red Cross and Red Crescent. The plight of children in times of armed conflict has been a source of concern for the ICRC for many years. The Geneva Conventions and their additional Protocols afford children general protection as members of the civilian population. There are also a large number of provisions affording them specific protection. All of our field operations comprise activities aimed at protecting children and at ensuring their health and safety. Examples of these activities are the identification and registration of unaccompanied children and follow-up of their cases, representations to secure the release of children held in detention, physical or psychosocial rehabilitation, and the restoration of family links.

The ICRC cooperates, and intends to continue to cooperate, in an effective manner with other agencies in the field and with Governments. The ICRC and the International Red Cross and Red Crescent Movement will carry on working to improve the situation of children in times of conflict, in accordance with the Plan of Action adopted at the twenty-seventh International Conference.

I should now like to refer to missing persons. For families, one of the most tragic consequences of war is not knowing what has happened to loved ones. Apart from the mental suffering caused by this uncertainty, there can also be serious legal and economic implications. Tracing missing persons has always been at the heart of the ICRC's mandate, and in the aftermath of fighting, it is one of its priorities.

One practical way of ascertaining the fate of persons reported missing is to negotiate access to places of detention with the authorities concerned and to hand them lists drawn up on the basis of statements of the missing persons' families. In this task the ICRC is often aided by the national Red Cross and Red Crescent Societies, which are invaluable partners both within the country concerned and abroad.

Humanitarian law bears witness to the importance that States attach to the issue of missing persons, but the relevant rules have yet to be properly applied in all conflict situations. The ICRC commends the efforts made by the

international community in Bosnia and Herzegovina and in Kosovo and after the Gulf War, but urges it to heed the plight of families in other contexts which may attract less attention from the media. Indeed, the ICRC suggests that the issue of persons unaccounted for, and its own role in that regard, be systematically included in peace accords. The ICRC is convinced that the incorporation of humanitarian issues, such as missing persons, prisoners of war and detainees, can strengthen post-conflict peace-consolidation efforts.

I shall now speak about the role of the Security Council. When you, Mr. President, invited me to speak before the Security Council today, you asked me to outline the ICRC's views on the progress made in the Council since its debate on the protection of civilians that took place last year. I will do so with modesty, which is advisable in general, but particularly so for a greenhorn. But I will do so gladly. I would like, first of all, to stress how much we appreciate the growing importance that the Security Council attaches to the protection of civilians in times of armed conflict. The mobilization of the international community on this issue inevitably hinges on the Security Council's awareness of its urgency.

The Secretary-General's excellent report and the numerous recommendations it contains also go to the heart of the matter and raise very pertinent questions. Furthermore, it is most encouraging that the Council is disposed to establish a monitoring mechanism and that the major humanitarian agencies are associated with this initiative, which guarantee that the debate will not remain a virtual one. Security Council resolutions contribute to creating a culture conducive to the prevention of violations and the cessation of impunity for the culprits. We cannot but welcome this trend. However, these appeals will rapidly become empty words unless they are accompanied by practical and concrete measures intended to improve protection of the physical integrity of individuals.

In his report to the Security Council on the protection of civilians in armed conflict, issued last September, the Secretary-General drew a clear distinction between recommended measures to strengthen physical protection and recommended measures to strengthen legal protection. I find this distinction useful and necessary, for we are all too aware of the limitations of legal protection alone. Speaking for a humanitarian organization that is present and active on a permanent basis in practically all situations of armed conflict, I would like to add in all modesty that this active presence and the will — the

strong will — to maintain dialogue and contact with all parties to the conflict constitute an essential factor for protection in themselves.

The Secretary-General's recommendation that the Security Council consider the imposition of appropriate enforcement action in the face of massive and ongoing abuse was made in the context of a debate which became acutely pertinent following the action of North Atlantic Treaty Organization (NATO) forces in the Balkans. Here I would like to share with the members of the Council a concern of the ICRC which has to do very much with the weight of words. The term "humanitarian" has often been misused. We have heard talk of a "humanitarian war" or even of "coercive humanitarian countermeasures", to cite only a few of the expressions that create dangerous confusion as to the respective roles and responsibilities of political actors on the one hand and humanitarian organizations on the other.

The question here is not the validity of coercive action in extreme circumstances. Such action is often a last resort, necessary to protect the civilian population. Indeed, it may be essential in situations where there are large-scale and systematic violations of human rights and humanitarian law. The States parties to the 1949 Geneva Conventions have undertaken not only to respect, but also to ensure respect for, the rules set out in those Conventions.

Coercive measures, however, should be envisaged only in extreme cases. The Security Council has numerous other means at its disposal for enhancing the security of populations, ranging from preventive deployment to the dispatch of peacekeeping or peace-consolidation forces. The Council is to be commended for making provision, in the mandate of certain missions, for measures designed to protect civilians who are in immediate danger of physical violence. These innovative developments demonstrate the will to take concrete action.

In the ICRC's view, the important thing is to distinguish between political and military action aimed at addressing the causes of conflict and humanitarian action aimed at addressing its effects. The law governing the right to use force, or *jus ad bellum*, must therefore remain clearly distinct from humanitarian law automatically applicable in the event of military operations, or *jus in bello*. The legitimacy of the cause being defended can in no circumstances exempt a military operation from the obligations laid down in international humanitarian law.

We have noted, however, that peacekeeping operations are taking on an increasing number of humanitarian aspects. This trend entails certain dangers. In situations where peace is still fragile, United Nations troops may have to use force, which can create the impression that they are party to the conflict. This can cause them to be denied access to certain regions and thus to some of the victims. In general, the ICRC believes that coercive action, apart from affording protection for civilians, should create conditions that allow humanitarian agencies to operate, but without being associated with such action in any way. Being associated with coercive action would jeopardize the work of humanitarian organizations by undermining their credibility and their acceptance by the parties to the conflict. So it is the confusion between different modes of action that is causing us concern and appears dangerous. To each his own: the use of force is the domain of the military, and relief activities the domain of humanitarian agencies.

I would not like to conclude without saying a few words about the sanctions which have been at the centre of the Council's debates this week. The ICRC has always been concerned by the humanitarian consequences for the civilian population; therefore, it cannot but express its appreciation for the decision to establish a working group on that topic, notably with a view to fully taking into account humanitarian consequences.

It is essential to strengthen all aspects of complementary action if we are to bring about tangible improvement in the protection of civilians. In this regard, I feel that firm resolve on the part of the Security Council to take bold political decisions and create the conditions necessary for the humanitarian organizations to preserve their indispensable independence will guarantee effective implementation of our shared objectives.

The President: I would like to express to Mr. Kellenberger — I am sure, on behalf of all members of the Council — great admiration and appreciation for the work of the International Committee of the Red Cross.

Mr. Scheffers (Netherlands): After a thorough and lengthy process, we are close to a first wind-up of a very important debate on the topical issue of the protection of civilians in armed conflict. The time has indeed come for some concrete and coherent action.

In this connection, I would like to commend the Canadian presidency, and you personally, Minister Axworthy, for the preparation of this debate and, as a matter of fact, for the very capable handling by Canada of this whole issue. The Netherlands was more than happy to assist Canada in its efforts during the Netherlands' presidency last September. My delegation appreciates highly the valuable input — including today — by the Secretary-General and the former and the present President of the International Committee of the Red Cross. A week ago the Security Council had the opportunity to discuss this issue with three major humanitarian non-governmental organizations, which provided us with unique insight on how protection needs present themselves in the field.

As the representative of Portugal will make a statement on behalf of the European Union later in this debate, I will limit myself to four specific observations. Taking stock of what has been accomplished so far, I would like to recall some of the main points made by the Netherlands delegation in previous debates and to see where we are now.

The first and most prominent point deals with the full compliance with the rules and principles of international law, including human rights and international humanitarian law. Geneva should not be regarded as a distant cousin of the United Nations family residing in New York, but as an intrinsic part of it. The Geneva and Hague Conventions should always guide us when we are dealing with armed conflicts. They contain provisions for conflict prevention and conflict resolution and should therefore be fully used. In this connection, I would like to reiterate my delegation's earlier observations on the International Fact-Finding Commission. My delegation also believes that the Security Council should further enhance its cooperation with the International Committee of the Red Cross.

The perpetrators of genocide, crimes against humanity and war crimes should be prosecuted and duly punished. I seize this opportunity to pay tribute once more to the International Criminal Tribunals for Rwanda and the former Yugoslavia, which have clearly proved that we should not hesitate to bring to justice those who might have considered themselves immune. The early entry into force of the Statute establishing the International Criminal Court will further contribute to ending impunity and thus to the prevention of future war crimes. Although the issue of impunity is not dealt with in the draft resolution to be adopted, we believe it merits the full attention of the competent United Nations bodies.

My second point is respect for international law, including human rights law, which is essential for the prevention of armed conflict. As stated by the Secretary-General in his outstanding millennium report, gross and systematic violations of human rights offend every precept of our common humanity. He referred in particular to Rwanda and Srebrenica. In the face of grave and widespread violations of human rights, the Security Council cannot afford to stand by and watch. The Council has the duty to act on behalf of the international community and should therefore consider which role to play in stopping these violations and thus prevent a further aggravation of the conflict situation. Such violations may well lead to crises that could endanger world peace and security. The Commission on Human Rights has an important role in making sure that human rights standards are upheld. It is therefore of the utmost importance that such violations are brought to the attention of this Council.

Equally important, and this is my third point, is the necessity of full and unimpeded access for United Nations and humanitarian personnel to populations in need, including refugees and internally displaced persons. It is up to the countries where such people in need are to make sure that their humanitarian requirements, including their protection, are met. When these countries are not able to provide for such needs, they should welcome international support and support from non-governmental organizations. The Council should act and take appropriate steps when there is a denial of such access including the freedom to move to the areas concerned, as suggested in the draft resolution we are about to adopt. Under specific circumstances, this may comprise the use of all measures at the Council's disposal, such as the imposition of targeted sanctions.

My fourth and final point is that my delegation would like to emphasize how important the need is for United Nations or United Nations-mandated action to be adequate, comprehensive and integrated. Strategic frameworks, such as the one agreed for Afghanistan, are a powerful tool to ensure such an approach. By combining actions in the field of politics, human rights, humanitarian assistance, disarmament, demobilization and reintegration, and development, a very similar approach was applied in the cases of East Timor, Kosovo and Sierra Leone. The draft resolution before us contains a menu of relevant elements, which should be considered fully whenever United Nations mandates are being prepared. The Netherlands would especially like to encourage the Secretary-General to make full use of the

prerogatives conferred on him by the United Nations Charter and to fully participate in the preparation of such mandates.

In conclusion, my delegation believes that the necessary prerequisites for adequate Security Council action have been well defined by the draft resolution, translating as much as possible the proposed recommendations into a framework for future action. It is up to the Council to take up the challenge and to ensure that the protection of civilians in armed conflict is part and parcel of its work.

Ms. Soderberg (United States of America): To the Deputy Secretary-General and Foreign Minister Axworthy, we are delighted that you are here. I also understand we have some Model United Nations students in the gallery, so welcome — I hope you are inspired today to follow us all.

This morning we are here to discuss a very difficult, but a very important topic, one that was at the forefront of the minds of the founders of the United Nations and of many other statesmen and political leaders before them. The United Nations founders set up this Organization "to save succeeding generations from the scourge of war", and to limit the human suffering and death that are the inevitable result of war. The Geneva Conventions stipulate that, at a minimum, civilians shall be treated humanely and not be murdered, tortured, mutilated, taken hostage, cruelly treated or made to face humiliating outrages against their dignity. This focus on the impact of war upon civilians has been at the heart of the United Nations since its beginning.

Unfortunately, ever since the founding of the United Nations and the conclusion of the Geneva Conventions, we have continued to see what the Secretary-General has termed a "civilianization of conflict" — as conflicts increasingly involve actors who blithely disregard the fundamental protections afforded civilians under international humanitarian law and are indeed often ignorant of, or indifferent to, fundamental rules of armed conflict. The traditional tools of diplomacy are not always completely effective, but as members of the Security Council with a responsibility to maintain international peace and security, we must identify means to address the outrages being perpetrated against civilians.

All of us here in the Council face a dilemma. We are aware of, and wish to promote and uphold, the ideals that motivated the founders of the United Nations. However, as

we all know, we are constrained by various political realities. Our job is to walk a fine line and find a balance between what is ideal and what is feasible. The Secretary-General's report now before us sets out more than three dozen recommendations for steps that can be taken by the Council, by Member States and by other organs in the United Nations system to do a better job of protecting civilians from falling victim to armed conflicts. In fact, in various situations we have already put into practice many of the steps the Secretary-General recommends. While we support the ideals and the general goal of his report, we believe that every specific situation of armed conflict must be dealt with individually, in its own context, and bearing in mind the global standards set by the applicable provisions of international humanitarian law.

The United States appreciates the opportunity to exchange ideas on this difficult topic during the long and painstaking negotiations that have resulted in the draft resolution we are to adopt today. We support this draft resolution and will work with the other members of the Council to implement its provisions as appropriate in different circumstances.

The best way to protect civilians, of course, is to prevent conflict before it erupts, and the Security Council acknowledged this when it discussed the matter last November. We recognize the importance of early warning and early preventive actions, and we also recognize the many serious risks civilians face during armed conflict: they are often subjected to armed attack, or rape, or abduction. Whether they have fled their homes or remained in an unstable area, whether they have crossed an international border to relative safety or sought refuge nearby, their lives or their basic human needs may be at risk. They may face danger from the indiscriminate and irresponsible use of landmines or the uncontrolled spread of small arms and light weapons carried by too many of their fellow citizens and, many times, by their fellow child citizens. Clandestine radio broadcasts inciting genocide add another evil dimension to an already dangerous situation. And camps for displaced persons and refugees, which should be a temporary haven, may be infiltrated by armed elements who then hold the most vulnerable among them hostage.

There is a variety of options that we can consider. At times, encouraging diplomatic talks between the parties may be the proper response. At other times, the Council may need to dispatch monitors or impose targeted sanctions or even deploy civilian police or

peacekeeping troops. In other situations it may be appropriate to establish temporary humanitarian corridors or safe zones, or to choose an entirely different course of action altogether. Badly devised actions risk raising the dangers for the very people that we are seeking to help.

We also need to be sure that the United Nations personnel in the field are trained and equipped to get the job done right. Already, peacekeeping troops receive military training; civilian police receive training in patrolling and investigations; civilian administrators receive training in management techniques; and relief workers are trained in the logistics of delivering assistance. However, they also must be fully aware of the rules of international humanitarian law and of the special protection needs of the most vulnerable populations, including those of women, children and victims of disabling or communicable diseases. The United Nations has a role to play in helping make such training available, as do Member States. The United Nations also has a role in helping with the demobilization, disarmament and reintegration of former combatants, including child soldiers. But it cannot do these things alone. The host Governments must do their part. The World Bank, the United Nations Development Programme and other development agencies can also help make the transition from the initial phase of demobilization to the longer-term phase of reintegration into society.

In closing, I want to reiterate a point of paramount importance: civilians cannot be adequately protected by the international community alone. The authorities of the State in which armed conflict is occurring must cooperate with the international community and humanitarian organizations in ensuring access to the civilian population at risk, and by ensuring the safety and security of the United Nations and humanitarian personnel involved in operations designed to assist civilians. Each party to a conflict has an obligation under international law towards civilians, and each Government has a responsibility towards its citizens. Each Government must do all in its power to live up to the tenets of international law I referred to at the beginning of these remarks and to protect the civilians under its authority against threats to their lives, their dignity and their personal rights.

Mr. Levitte (France) (*spoke in French*): I would first like to thank the Secretary-General for his excellent introduction to our debate and to welcome the presence among us of Ms. Fréchette.

I would also like to welcome the presence at the Council table of Mr. Jakob Kellenberger, the new

President of the International Committee of the Red Cross (ICRC), whose striking statement sheds light on our discussions. In addition, I would like to pay heartfelt tribute to the unique and irreplaceable role all our countries have conferred upon the ICRC, whose members do their job with remarkable courage and professionalism.

Our debate is at once essential — for we are talking about protecting whole populations — and also very technical, because it entails defining the most effective means of ensuring that protection. The Security Council held a very in-depth debate on 16 and 17 September on the whole host of issues raised by the protection of civilians in armed conflict. There is no point in repeating that debate today, yet we must agree that our recent work has confirmed just how important this subject is. That importance has been specifically borne out by the discussion we had last week on the Carlsson report, regarding genocide in Rwanda. Following the adoption of resolution 1265 (1999) of 17 September 1999, we are called upon today to adopt a new draft resolution that should make it possible to follow through on a number of major recommendations contained in the Secretary-General's report of last September.

First of all, the draft resolution rivets our attention in the way it couches the matter of protecting civilians in armed conflict at the very heart of the Council's concerns — and indeed at the heart of its work. The first operative paragraph states that the recommendations contained in the report of the Secretary-General of 8 September will be taken into account by the Council in carrying out its work. This means that that report is to be an ongoing point of reference for us. Moreover, the draft resolution clearly points out that the protection of civilians in armed conflict is an issue that covers most of the activities of the Council, whether we are talking of prevention, peacekeeping or coercive action.

The draft resolution also stresses the determination of the Council to secure all necessary information about the status of civilians in armed conflict. Under operative paragraphs 4, 6, 8, 24 and 25, the Secretary-General and the Member States are invited to provide the Council with such information. That information may come from any pertinent source, among which we know are included humanitarian agencies and many different non-governmental organizations present at the sites of conflict. It will be up to the Council to deal with such information. That task presupposes, as has been highlighted in the debate on Rwanda, that we in the

Council will have more time to do this and that we will undoubtedly dedicate less time to thematic debates.

Finally and most importantly, the draft resolution stresses the Council's readiness to face up to its responsibilities and to act with all the means at its disposal to make a contribution to better protecting civilians in armed conflict.

One of the means envisaged by the draft resolution, notably in operative paragraphs 8 and 12, involves appeals issued by the Council to the parties to a conflict. A second means, addressed in operative paragraph 4, is the establishment of operations designed to prevent conflict; the United Nations Preventive Deployment Force in Macedonia and the United Nations Mission of Observers in Prevlaka have shown what the Council can do in preventive terms. I also wish to mention the United Nations Mission in the Central African Republic, which afforded a very good recent example of United Nations success.

A third means involves peacekeeping operations of the more conventional variety. These operations may play a major role in protecting civilians. To that end, we must ensure a better definition of their mandates, which is addressed in operative paragraphs 13, 16, 17 and 18 of the draft resolution. We must also ensure a speedier deployment capability for such operations, as has just been emphasized by the Secretary-General. We look forward with interest to the outcome of work under way in the Special Committee on Peacekeeping Operations on this vital topic. Finally, we must devote special attention to training personnel involved in such operations, particularly in humanitarian law, as recalled in operative paragraph 19 of the draft resolution.

A fourth instrument that deserves our attention is sanctions. The adoption of sanctions by the Council during an armed conflict must not contribute to the deterioration of the conditions of civilians. The Secretary-General's report contains recommendations on this score, as does General Assembly resolution 51/242. It will be the responsibility of the Working Group on sanctions, which we have recently established, to take these into account, as specified in operative paragraph 22.

The issue of sanctions bears on the work of the Council within the context of Chapter VII of the Charter. The draft resolution contains very important provisions in this regard. Operative paragraph 5 provides that a threat to international peace and security can result from attacks

against the civilian population and from systematic, flagrant and widespread violations of international humanitarian and human rights law. This is an especially important assertion. In effect, it means that in the face of such violations, the Council intends to place its work within the framework of Chapter VII and, depending on the circumstances, to resort to the possible measures referred to in that Chapter.

We attach great importance to the provisions of the draft resolution relating to actions taken in the struggle against anti-personnel mines and against the dissemination of light and small weapons.

The resolution we are about to adopt thus constitutes an important phase in our efforts to avoid the recurrence of the humanitarian tragedies of the last decade. I therefore wish to pay tribute to Canada's activity in this very important arena. We deem particularly encouraging the fact that our debate will be pursued next year on the basis of new recommendations of the Secretary-General.

The President (spoke in French): I thank the representative of France for his kind words addressed to me.

Mr. Lavrov (Russian Federation)(spoke in Russian): We are pleased, Mr. Minister, that you are with us once again directing the work of the Security Council. We are also happy to welcome to this Chamber the President of the International Committee of the Red Cross, Mr. Jakob Kellenberger. We thank him for his contribution to the work of the Council today.

Today, on the eve of the fifty-fifth anniversary of the end of the Second World War, consideration by the Security Council of issues related to the protection of civilians in armed conflict is of particular significance.

The Russian Federation follows with great attention the relevant activities of the United Nations, including those of the Security Council and other bodies. The goal of civilian protection, as well as the humanitarian aspects of international peacekeeping missions, is becoming increasingly important. We welcome the current debate and express our gratitude to the Secretary-General for his report, his recommendations and his statement made today.

Russia's position on this item is based on the need for an effective, adequate international response to all crises, including those of a humanitarian nature. This

response should be in strict compliance with the norms of international law and the provisions of the United Nations Charter. It also entails the primary responsibility of the Security Council for the maintenance of international peace and security, the strict observance of international rules of conduct by all States and the implementation of norms and principles of international law, including international humanitarian law, by all parties to an armed conflict.

The problem of protecting civilians in armed conflict is multifaceted and requires a comprehensive approach. Hence, it is fundamental to eradicate war from human society, to prevent and put an end to conflicts. This, *inter alia*, is the thrust of Russian initiatives designed to elaborate a concept of the world in the twenty-first century and to define the legal basis for the use of force in international relations in our globalizing world.

Among our highest priorities in this regard is to step up efforts for a more effective use of early warning capabilities and preventive diplomacy, deployment and disarmament, including combating illicit trafficking in small arms. In the context of our discussion, we should specifically highlight the principle of the peaceful settlement of disputes between States and the role of the General Assembly and Security Council in accordance with Chapter VI of the Charter.

Russia, like many other States, is fully aware from its own experience of the meaning of war and of the suffering it brings to peoples. Despite the efforts of the international community, armed conflicts continue to cause death and suffering for many thousands of people on our planet, particularly innocent civilians. Many of them are children, women, the elderly, refugees and displaced persons; in other words, the most vulnerable groups of the population. Political and humanitarian personnel of United Nations missions, the International Committee of the Red Cross and non-governmental organizations also fall victim to armed conflict.

The primary responsibility for protecting civilians in all circumstances is vested in the States and parties to an armed conflict. However, international efforts undertaken, including those undertaken by the Security Council, can have a powerful, positive impact on the performance of this task. We consider the resolution to be adopted after today's discussion as a significant step in the right direction. It will serve the purpose of enhancing protection of civilians as well as international personnel and will be a serious warning for those who violate international humanitarian law in the course of armed conflicts.

Last year marked half a century since the adoption of the Geneva Conventions on the protection of victims of war. Unfortunately, despite the fact that the vast majority of States have become parties to the Conventions, there is still too wide a gap between the provisions contained therein and their implementation during armed conflicts. The problems in this sphere should continue to be addressed in the United Nations General Assembly, the Economic and Social Council (ECOSOC), the International Committee of the Red Cross (ICRC) and other bodies directly involved in the protection of civilians in armed conflicts. We support the strengthening of cooperation and coordination between the Security Council and the above-mentioned organs on the understanding that in civilian protection just as in other issues there is a "division of labour" based on the provisions of the United Nations Charter and other international legal instruments.

Bearing this in mind, Russia is open to a broad dialogue aimed at reaching agreement on specific ways to mobilize the additional potential of international political and legal means for the protection of civilians in armed conflict.

Mr. Hasmy (Malaysia): My delegation commends Canada for emphasizing on the issue of human security during its presidency of the Council this month. We believe that the subject of the Council's meeting today, "Protection of civilians in armed conflict", is a clear reflection of Canada's continuing commitment to the promotion of human security, for after all, the underlying purpose of maintaining peace and security around the world is to preserve the security and well-being of each individual. My delegation is also gratified, Mr. President, that you have made this an open meeting to allow for the participation of the general membership of the Organization, thereby contributing further to the openness and transparency in the work of the Council to which Canada, and others in the Council, is also strongly committed. We are particularly pleased to see you, Sir, preside over today's meeting. Your active participation in the meetings of the Council has set a benchmark for your ministerial colleagues to follow.

My delegation is appreciative of the important remarks made this morning by the Secretary-General and Mr. Jakob Kellenberger, the President of the International Committee of the Red Cross (ICRC). Their very pertinent observations and proposals deserve the serious consideration of the Council. My delegation also appreciates Mr. Kellenberger's comments on the

humanitarian impact of sanctions, which is equally pertinent to the discussion at hand. We note that the Secretary-General himself has also touched on this aspect in his report.

The seriousness and emphasis placed by the Security Council on the protection of civilians affected by armed conflict are evidenced by the number of meetings already devoted to this subject. Only last month the Council had an open meeting to discuss the important subject of humanitarian aspects of issues before the Council in the context of the maintenance of peace and security. We also discussed, in February this year, the issue of the protection of United Nations and associated personnel, and humanitarian personnel in conflict zones. The report of the Secretary-General to the Council on the protection of civilians in armed conflict, which forms the basis of the draft resolution we will be adopting later today, is a response to the need for a set of guidelines on how to better protect civilians, which have more and more often become the targets of violence by combatants and armed elements in armed conflicts.

The international community is becoming increasingly alarmed at the growing number of civilians caught up in armed conflicts around the world, and particularly vulnerable groups such as women, children, the aged and the infirm, who constitute some 90 per cent of conflict casualties around the world. What is more disturbing is the fact that they have increasingly become deliberate targets as part of the combatants' war strategy. This is a deplorable development in the history of warfare. Such inhumane acts are unacceptable and must be condemned in the strongest terms. They are criminal and cruel acts for which the perpetrators must not be allowed to go scot-free, as this would only strengthen the culture of impunity that is so pervasive in so many areas of armed conflict around the world.

My delegation believes that the protection of civilians in armed conflicts should be all-encompassing. They should not only be assured of their physical security in situations of armed conflict but also be provided with legal protection under international law. This point has been underscored by the Secretary-General and the President of the ICRC and previous speakers. There are a number of international instruments or conventions that provide a legal basis for their protection, but these have not prevented civilians from being attacked and targeted with impunity. The perpetrators of these crimes must be warned that they are accountable for their actions and cannot hope to escape the full penalty of the law, even after the conflict is over. Only through

such stern warnings by the international community and the actual prosecution and punishment of the guilty can these criminal acts be brought to an end. We must, singly and collectively, demonstrate our resolve to mete out punishment to those responsible.

As a practical measure to ensure the protection of civilians in armed conflict, it is important that both military and civilian United Nations personnel involved in peacekeeping missions be appropriately sensitized on the subject and provided with adequate training and instruction on international humanitarian and human rights law so as to be better able to handle actual situations on the ground. It is imperative that they have unimpeded access to civilians in need.

The physical protection of civilians in armed conflict has become even more urgent than before in respect of the hundreds of thousands of refugees in refugee camps around the world. The Secretary-General has stressed this point just now. Serious efforts must be made to ensure that armed elements are not allowed into refugee camps, unless they are first disarmed. This is to ensure that the civilians are not harassed or intimidated by these elements in their midst. This is a particularly difficult task to undertake but an extremely important one if we are to ensure that refugee camps remain refugee camps and do not become recruiting grounds for combatants or for the fomenting of violence and disorder.

The protection of civilians in armed conflicts requires a comprehensive approach on the part of the international community. It also requires coordinated and concerted efforts on the part of all concerned — peacekeepers, United Nations humanitarian workers and personnel of other international relief agencies and non-governmental organizations. They are indispensable partners in the field. While performing its own specialized duties, each plays a supportive and reinforcing role in ensuring the physical, legal and psychological protection and well-being of the hapless civilians caught in the traumas of armed conflict.

The Secretary-General has made a number of recommendations in his report. This morning he has highlighted three of them, which my delegation wholeheartedly supports. The Council has also adopted resolution 1265 (1999), which, *inter alia*, set up a mechanism to review the recommendations contained in the report. These recommendations have been examined and incorporated in the draft resolution before the Council, which, if fully implemented, will make a major

contribution towards fulfilling the goal of ensuring the protection of civilians in armed conflict. Malaysia therefore strongly supports the draft resolution and will play its part towards its effective implementation.

The President: I thank the representative of Malaysia for his very kind words.

Mr. Wang Yingfan (China) (spoke in Chinese): The Chinese delegation welcomes you to New York, Mr. President, to preside over this open meeting and also expresses its appreciation of the efforts made by Ambassador Fowler and the delegation of Canada for its convening. We would also like to thank the Secretary-General and Mr. Jakob Kellenberger, President of the International Committee of the Red Cross (ICRC) for their statements just now.

Today, armed conflicts continue to rage in many parts of the world, inflicting great harm on civilians, jeopardizing regional stability and development, and even threatening international peace and security. Addressing the issue of how effectively to protect civilians in armed conflict has always been a serious and difficult task for the international community.

Since this issue was first discussed by the Security Council in February 1999, some progress has been made in this field. Last September, the Council adopted resolution 1265 (1999) on the basis of the Secretary-General's report and established an informal working group to study the report and its recommendations. Building on this, the Council has prepared the draft resolution before us. It is our hope that its adoption will help the international community to achieve better results in the protection of civilians in armed conflict.

The Chinese delegation has consistently attached importance to the issue of protecting civilians in armed conflict and has always participated actively in the consideration of this issue by the Security Council, the General Assembly and other relevant bodies. We have participated in a constructive manner in the informal working group's review of the Secretary-General's report and recommendations, expressed our position and put forward positive suggestions on and amendments to this draft resolution.

Today, I would like to highlight once again the following points.

First, armed conflicts throughout the world differ in their causes, manifestations and natures. The Security Council should review and address the issue of the protection of civilians in armed conflict on a case-by-case basis, dealing with each situation on its own merits. The Security Council must take timely measures in response to such cases as the Rwandan genocide. Usually, however, it is the sovereign States that bear the main responsibility for protecting civilians in armed conflict. The Security Council cannot successfully consider and address this issue without the close cooperation of the countries involved. It should fully respect the opinions of the countries or parties concerned, assist them in various ways, in accordance with their specific needs, and act when necessary in support of their efforts to protect civilians.

Not long ago, for example, the Security Council, in response to the specific situations of the countries concerned, incorporated elements of civilian protection into the mandates of the United Nations Mission in Sierra Leone and the United Nations Organization Mission in the Democratic Republic of the Congo. This is commendable. In our view, the Government of a country in armed conflict tends to decide on the measures necessary to protect civilians in accordance with the nature and characteristics of the conflict and the actual circumstances of civilians in the area of conflict. In this regard, the positions of sovereign States should be respected by the Security Council. Action taken without the understanding and cooperation of the countries involved may lead those countries to resist. Should this occur, not only will relevant measures for protecting civilians fail to be implemented in any meaningful way, but more civilians will be dragged down into misery.

It must be pointed out that any attempt to politicize humanitarian concerns, wantonly interfere in other countries' internal affairs or, worse yet, overturn a legitimate Government under the pretext of protecting civilians runs counter to the purposes and principles of the United Nations Charter and will inevitably have serious consequences. The draft resolution before us reaffirms the purposes and principles of the United Nations Charter and stresses the need to respect the political independence, sovereignty and territorial integrity of all countries. We must keep in mind and abide by these principles in acting to protect civilians in armed conflict.

Secondly, in considering the issue of the protection of civilians in armed conflict, the Security Council should

ensure a clear division of labour and enhance coordination and cooperation with other bodies. The issue of protecting civilians in armed conflict involves political, peacekeeping, humanitarian, disarmament, legal and many other dimensions. It requires the concerted efforts of the entire international community and the United Nations system. The 40 recommendations in the Secretary-General's report were not made for the Security Council alone. Many of them need to be assessed and addressed by the General Assembly, the Economic and Social Council, the Office of the United Nations High Commissioner for Refugees and other relevant bodies. In our view, all agencies within the United Nations system should work with a well-defined division of labour and terms of reference. The Security Council should review and address this issue within its own mandate and, in doing so, support and cooperate with other agencies in this regard. This is the only way that different departments of the United Nations can work in harmony and mutual reinforcement, allowing the system as a whole to play its role more effectively.

Thirdly, while addressing the issue of protecting civilians in armed conflict, the Security Council should seek to eradicate the causes of crises. The Security Council, with its primary responsibility for maintaining international peace and security, should draw upon past successes and failures alike so as to perform its duties more effectively with a view to creating a favourable international environment of peace for all regions and countries. The Council should focus its efforts on finding solutions to the armed conflicts themselves.

Civilians can be truly protected only through the establishment of a generally favourable and peaceful environment and the early defusing of specific disputes leading to conflicts. At the same time, we believe that the international community and the relevant United Nations bodies should take further steps to eradicate the root causes of conflict by helping the countries at risk to eliminate poverty, develop their economies, promote national reconciliation and maintain domestic stability. Only thus can a fundamental solution be reached to the issue of protecting civilians in armed conflict.

Sir Jeremy Greenstock (United Kingdom): Thank you, Mr. President, for Canada's leadership on this issue. We are impressed by the stamina you are showing in keeping up with our arcane procedures in this body and I think we are going to miss you.

I should also like to express the United Kingdom's appreciation for the Secretary-General's and Deputy

Secretary-General's personal involvement in this issue, which is very important, and to pay tribute President Kellenberger of the International Committee of the Red Cross (ICRC), not only for coming to join us this morning, but also for giving us a speech that we shall have to think about. On that basis, I am sure that he will be welcomed back to this Council whenever there is a subject that affects the ICRC.

The working group on civilians in armed conflict has worked long and hard to produce the draft resolution which we will adopt at the end of this meeting. It is a good draft resolution and the Canadian delegation is particularly deserving of congratulations. I should just like to add that our experts recently have done particularly good work on a number of resolutions. When texts are not coming to ambassadors for solution, that is a sign that something is going right in the procedures of inter-delegational activity here, and that is very much to be welcomed.

But I should like to look forward for a moment. This meeting needs to set down a marker. Today's draft resolution is not the end of a process. It will have value in the world outside only if it is the catalyst for a more systematic approach by the Council to the protection of civilians in specific conflicts. Last Friday we took stock of what happens when the United Nations and the international community get things wrong. The Carlsson report on Rwanda and the Secretary-General's own report on Srebrenica illuminated our collective commitment to human security; but I am not clear what we would do tomorrow if Rwanda hit us again.

The concept of security for individuals does not stand in opposition to that of security for States. It plays an intrinsic part in the wider objective. When individuals are protected, and their human, economic, social, political and cultural rights are upheld, international stability is consolidated. The goals in this draft resolution lie at the heart of a sustainable conflict-prevention strategy.

What is the next step for us, the members of the Council? James Orbinski, President of the International Council of Médecins Sans Frontières, made an excellent presentation to Council members in an Arria-format meeting last week. He said at one point that

"the central task in achieving protection of civilians is to clearly define problems and solutions — not to

settle for vague problem definitions that mask political causes and responsibilities”.

I think that President Kellenberger has forcefully made the same point to us in this debate.

The Security Council's first objective should be to contain threats to the peace. But we often appear hamstrung in undertaking actual preventive measures well in advance of the outbreak of violence. The Secretary-General this morning pointed to the Central African Republic and to Prevlaka as welcome exceptions to this, and Macedonia was another. But national priorities tend to make us shy of committing resources, and we slip too easily into a focus only on the immediate causes of conflict.

It is time to take a more professional approach to human security and conflict prevention. We should be making a real effort to improve coordination and information flow within the United Nations system. We need to strengthen the proactive role of the Secretary-General, so that coordination with the Economic and Social Council and the relevant United Nations agencies can begin to work more naturally. It is interesting to see that a number of us now are taking up this theme of the coordination between separate bodies of the United Nations. We need also to forge operational links between the regional organizations and the Security Council that can bear the weight of the work we have to do. Most fundamental of all, we need to make the psychological leap to tackling conflicts at their roots — their economic, social, structural, sometimes personal roots.

We will not always succeed. When we fail, peacekeepers may well be needed. The report which is being prepared by Lakhdar Brahimi and his panel will address the vital question of how we can do better in deploying peacekeepers. The United Kingdom is keenly interested in that report and expects from it an ambitious agenda for us to address. We need reformed Security Council procedures and reinforced Secretariat structures. But more than these, we need an improved system-wide approach that will consolidate the expertise of all relevant bodies without stifling the capacity of any to do the work that it does best. We need to produce clear-sighted analysis, comprehensive and integrated planning and well-resourced implementation.

As for post-conflict activity, let us think beyond protection and assistance during conflict and establish coherent strategies to build peace after the war is over. The

move from crisis to reconstruction needs early thought and coordination across the United Nations family. We cannot wait until the peacekeepers and humanitarian teams have left before putting our plans in place. This is something which the United Kingdom is trying to do in Sierra Leone.

The draft resolution before us concentrates on the promotion of physical security. That is the first area where the Council can make a difference. It contains concrete commitments which we should strive to keep in practice. But more significant than that, it states that the targeting of civilians and the systematic violation of their rights can constitute a threat to international peace and security — a wake-up call to the Security Council, if we are listening.

The Secretary-General's report makes clear that the protection of civilians in armed conflict goes wider than simple physical security. For example, the international legal framework has made dramatic strides in recent years with the Rome Statute and the Ottawa treaty on landmines, both still awaiting the signature and ratification of too many Member States.

The European Union statement, to be made by Portugal this afternoon, goes into greater detail on legal aspects, on small arms and on vulnerable groups, so I shall leave United Kingdom comment on these points to my distributed text. But we regard it as particularly important that combatants are educated in their obligations under international humanitarian law.

This is a complex and ambitious agenda in front of us. It adds up to the mainstreaming of conflict prevention throughout the United Nations family of institutions. The Security Council cannot succeed on its own. The United Kingdom will vote for the draft resolution before us. In doing so, I encourage the wider international system, both intergovernmentally and through the United Nations agencies, to examine how best to make their own contribution.

And let us not forget the national level. The primary responsibility for the protection of civilians does not rest with the Security Council, with the International Committee of the Red Cross (ICRC) or with the United Nations Children's Fund (UNICEF). It is the responsibility of the belligerents in conflicts: of Governments, of non-State actors and particularly of their leaderships. They too must make a commitment and expect to be reproached by the international community

if they do not — a commitment to, where possible, resolve their disputes through peaceful means and to respect the rights and security of civilians. Such an understanding of the rights of the individual is indispensable to the sort of step-change that we are seeking today.

The President: I thank the representative of the United Kingdom for the kind words he addressed to me.

Mr. Ben Mustapha (Tunisia) (spoke in French): We are pleased to see you with us once again, Sir, presiding over this important meeting of the Security Council. I wish also to welcome the presence of Ms. Fréchette, Deputy Secretary-General of the United Nations. Likewise, we wish to thank Mr. Kellenberger, President of the International Committee of the Red Cross (ICRC), for being with us today and for the very interesting statement he made this morning.

On your commendable initiative, Mr. President, the Security Council is today considering the question of the protection of civilians in armed conflict. This question is both topical and related to the Council's responsibilities in the area of the maintenance of international peace and security.

To look at the armed conflicts that have taken place in recent years is to come to the inevitable and disturbing conclusion that the suffering of civilians is increasing, as are the risks they face, which include threats to their lives. Aggression; forced displacements, both inside and outside countries; the blocking of the delivery of humanitarian assistance; and the hardships endured by vulnerable groups, in particular children, women and the elderly, all are threats to the physical security of defenceless civilians.

Unfortunately, these practices are the result of deliberate actions, aimed at civilians taken by the parties to the conflict. Civilians are targeted and used as a means of warfare. As is noted by the Secretary-General in his report submitted to the Security Council in September 1999 on this question, not even United Nations personnel and international humanitarian personnel are spared.

Following consideration of this question in February and September 1999, the Security Council strongly condemned those actions and affirmed the resolve of the international community to deal with them.

Today, on the basis of its responsibility for the maintenance of international peace and security, the Council is preparing to adopt a new draft resolution on this

issue that will provide for a number of steps and actions aimed at strengthening the physical and legal protection of civilians in armed conflict, so as to safeguard them during armed hostilities, ensure that humanitarian assistance can reach them and provide them with a secure environment pending a resolution of the armed conflict. The inhuman practice of targeting civilians, which has occurred in recent armed conflicts, must be put to an end. On the basis of that conviction, we support the draft resolution before the Council.

Accordingly, I should like to stress certain aspects of the question that my delegation believes to be particularly important. First, as the report of the Secretary-General and the draft resolution before us today make clear, the question of the protection of civilians in armed conflict is extremely complex, because it encompasses many aspects that are interconnected or closely linked to varying degrees, including in the political, legal, humanitarian, peacekeeping and peace-building areas. Given the multidimensional nature of the protection of civilians in armed conflict, it is necessary to adopt a comprehensive, consistent, non-selective approach, taking into consideration the specific characteristics of each situation.

The second aspect of the issue of the protection of civilians in armed conflict is the fact that it is, in essence, a humanitarian action. As such, it must be guided by the principles of neutrality and impartiality.

Thirdly, any action to protect civilians must supplement efforts to find a solution to the conflict in question, in accordance with the provisions regarding dispute settlement mechanisms in the United Nations Charter. Of course, the best approach is to prevent conflicts before they start, and, consequently, this is the best way to reduce human suffering, especially that of defenceless civilians.

Fourthly, because of the many aspects relating to the protection of civilians, coordination among the various actors is highly desirable to ensure the desired effectiveness in the framework of a comprehensive and complementary approach. The role of coordinator should be played by the United Nations.

Fifthly, it is essential to respect the principles of the sovereignty, political independence and territorial integrity of States and non-interference in their internal affairs, as well as to secure the consent and cooperation

of the parties, in particular the Governments of the countries concerned.

The question of the protection of civilians is not a new one. In the occupied Palestinian and Arab territories, civilians have waited too long for the complete observance of international law, including international humanitarian law and the relevant conventions, in particular the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, and their fundamental rights, of 12 August 1949. Other more recent situations in Africa also require international attention.

Those are the comments that I wished to make on behalf of my delegation, and I reiterate our support for the draft resolution before the Council.

Mr. Andjaba (Namibia): I wish to thank you, Mr. President, and your delegation, for initiating the discussion of this very important subject. I also want to thank the Secretary-General for his report and excellent recommendations, which have set the stage for our deliberations today, as well as for the draft resolution we plan to adopt. We welcome the President of the International Committee of the Red Cross, and thank him for his very important statement.

Today, civilians, especially women, children and the elderly, are deliberately targeted by combatants and are constantly becoming victims of indiscriminate shootings, cruel and degrading treatment, physical and psychological torture and mutilation. You, Mr. President, have referred to this phenomenon as the "civilianization" of conflicts, and we share your view. It is therefore timely for the Security Council to consider the protection of civilians in terms of its overall mandate under the Charter of the United Nations.

All the recommendations made by the Secretary-General warrant serious consideration and implementation by the Security Council to the extent possible. However, the recommendations should be implemented in a fair and consistent manner, and civilians everywhere should be accorded the same physical protection so as to uphold the credibility of the Council. Those recommendations relating to the proliferation of arms and their impact on armed conflict and to the provision of humanitarian assistance are of particular importance and interest to my delegation.

The uncontrolled flow of not only small arms but all types of sophisticated light weapons into areas of conflict needs to be seriously addressed. Weapon-producing

countries should not transfer arms, including landmines, to regions where armed conflict is imminent or raging. Equally important in this regard is the responsibility of Member States for ensuring that their citizens are not used as mercenaries.

Furthermore, the recommendations relating to the special protection needs of women and children are strongly supported by my delegation, and special arrangements should be put in place to ensure the protection of such people against the horrors of armed conflict.

Human suffering as a result of displacement is on the increase. On the other hand, displaced persons fleeing into neighbouring countries continue to place a huge social and economic burden on the host countries, especially in Africa. The international community needs to continue to provide significant support to host communities as well as to refugee populations.

The protection of civilians is closely linked to the capacity of United Nations peacekeepers to deploy rapidly. That point was highlighted this morning by the Secretary-General. As we have stated before, timely deployment, together with the appropriate mandate and adequate resources, can drastically improve the plight of besieged civilians during armed conflict. Again, support by the international community remains crucial.

The disturbing continuation of attacks against United Nations and associated personnel should receive the Council's urgent attention, and adequate measures must be considered to ensure the security of humanitarian field workers. In this regard, we support the call by the Secretary-General for the ratification of the 1994 Convention on the Safety of United Nations and Associated Personnel, and for the development of an appropriate protocol to extend the scope of legal protection to all United Nations and associated personnel.

My delegation concurs with the view that enough international humanitarian and human rights law instruments exist to ensure the legal protection of civilians. What is required is that parties have the political will to ratify and implement them and that parties to conflicts respect their provisions. Appropriate steps, such as those recommended by the Secretary-General, would therefore play an essential role in heightening awareness and promoting climates of compliance.

My delegation fully supports the draft resolution we are going to adopt later today. However, we wish to reiterate our grave concern over the situation at hand and would recommend that the Council continue to request reports from the Secretary-General and review the situation at regular intervals.

Mr. Listre (Argentina) (*spoke in Spanish*): I would like, first of all, to welcome the presence at this meeting of Mr. Kellenberger, the new President of the International Committee of the Red Cross and to thank him for his important statement. I wish to express to him Argentina's gratitude and constant support for his institution's work.

I would like to thank Minister Axworthy for his presence here in the Council and, through him, to convey my gratitude to the Government of Canada for having organized this open debate in which, in addition to the members of the Council observers and other Member States are participating. I would also like to commend his country on the efforts it is making to enhance the protection of civilians in armed conflict. In our understanding, this is one of the topics of greatest concern on the Council's agenda, and it calls for an urgent response on our part.

Recent experience has demonstrated that civilians are no longer merely the victims of armed conflict; they have become the targets of the belligerent factions. It has become common to consider the murder, terrorization, rape and expulsion of the civilian population from their homes a military tactic. Sierra Leone, Angola, East Timor and Kosovo provide examples of a long list of atrocities.

The Council has repudiated these misdeeds on numerous occasions, but it is not enough for us to condemn this aberrant conduct; we must find a way to ensure that it does not recur.

As we said last September in discussing this same topic in the context of strengthening legal protection for civilians, the international community has endowed itself with many important instruments. Despite their limitations, it can be said that we have developed an adequate body of law to confront these situations.

Regrettably, this level of development in jurisprudence is not matched by a similar level of compliance. We must focus our efforts on shrinking this yawning gap. In this regard, we wish to reiterate our support for the recommendations of the Secretary-General, of 8 September 1999, directed at strengthening legal protection; in our

view, these recommendations will be very useful to our task.

Whereas the international community, as we have just said, has legal instruments to confront the issue of legal protection of civilians, the same developments have not occurred in the field of physical protection of civilians. Hence the obvious and urgent need to tackle this problem in order to fill this vacuum.

The Secretary-General's report contains an ambitious set of recommendations to improve the physical protection of civilians in armed conflicts, and these relate to various areas of the Council's work. Many of them can and should be extensively developed. This is crucial to the concept of human security and to the new realities that prevail in armed conflicts.

We are not going to recite a comprehensive listing of the recommendations of the Secretary-General, but we would like to draw attention to some aspects that seem important to us.

First of all, there must be a smooth flow of communication between the Secretariat and the Council so that this body will have access to all the information required to enable it to respond as soon as possible, including by taking preventive action. Similarly, we must explore all the possible modalities of cooperation with regional and subregional organizations.

The Council must have at its disposal a clear set of rules for the protection of civilians when considering mandates for peacekeeping operations. These rules must include measures for the disarmament, demobilization and reintegration of former combatants, measures to control small arms and light weapons and means of controlling media that incite people to genocide, crimes against humanity and other grave violations of humanitarian law.

At another level, we are concerned that in many cases of conflict, access for humanitarian assistance to the civilian population is denied, in violation of international law, and personnel providing assistance are attacked. Many of these attacks, far from being accidental, are determined specifically by the fact that the personnel belong to the United Nations or are linked in some manner to the Organization. This is why we support, as we said last February, the Secretary-General's recommendation that we expand the scope of application of the 1994 Convention on the Safety of

United Nations and Associated Personnel by means of an additional protocol.

Many of the recommendations that we have just mentioned concerning the physical protection of civilians in armed conflict have been reflected in the draft resolution presented by Canada, which we fully support.

The adoption of resolution 1265 (1999) last September constituted a fundamental step forward. The working group created as a follow-up measure has now finished its deliberations and has presented us with the results of its work. The Council must take on board these results and continue its work. This open debate and the adoption of the draft resolution will be another step in the right direction. It is time for the Council to take the lead and set seriously in motion the mechanisms and measures proposed in the recommendations of the Secretary-General.

The President: I thank the representative of Argentina for his very kind words.

Miss Durrant (Jamaica): It is a pleasure to see you, Sir, once again presiding over the Council's deliberations, especially as we are debating today the issue of protection of civilians in armed conflict. This very important issue, which is at the heart of the mandate of the Security Council, in the light of its relevance to the maintenance of international peace and security, has rightly been given increased attention in recent years. My delegation therefore appreciates the special attention which Canada has given to this issue, and we wish to thank the Canadian delegation for piloting the draft resolution now before the Council.

We wish to thank the Secretary-General for his important introductory statement and for the recommendations contained in his report, document S/1999/957. We also wish to recognize the valuable contribution made by the International Committee of the Red Cross (ICRC) over the years and to thank the President of the ICRC for his thought-provoking address. We also wish to take this opportunity to express our appreciation to the staff of the humanitarian agencies of the United Nations and of the non-governmental organizations who daily risk their lives to assist civilians in zones of conflict.

It is regrettable that despite the continued efforts by the international community to address the deliberate targeting of civilians in conflict areas around the globe, innocent women, children, refugees and other vulnerable groups are targets of warring parties in violation of

international law. This has resulted from the fact that most modern conflicts are intra-State in nature. Indeed, most of the persons affected are now internally displaced persons rather than refugees who have crossed borders. While we recognize the need to proceed on a case-by-case basis, taking into account the particular circumstances, there is no doubt that the gravity of the problem resulting from the blurring of the lines between civilians and combatants requires us to redouble our efforts to devise and adopt effective responses.

It is in this context that we are pleased with the efforts of the informal working group established by Security Council resolution 1265 (1999) to review the comprehensive recommendations contained in the Secretary-General's report. A number of the proposals made in the report aimed at improving the legal protection of civilians warrant detailed attention. Urgent steps must be taken to follow up on the Secretary-General's recommendations, which are particularly concerned with the need to meet the challenge of inducing States and non-State actors to comply with the provisions of international law. The development of appropriate international mechanisms to prosecute those who commit grave breaches of international law must continue to be given priority. We have begun with the establishment of the International Tribunals for the former Yugoslavia and Rwanda.

Jamaica strongly supports the view that promoting respect for international humanitarian, human rights and refugee law and addressing the current culture of impunity will contribute significantly to the overall protection of civilians in conflict situations. More attention must therefore be given to disseminating knowledge of human rights obligations and to encouraging States to fulfil their obligations to respect international law and to take appropriate legal measures to punish offenders.

In addition, it is imperative that we develop innovative strategies for addressing violations of international law by non-State actors. It is unfortunate that the legal regimes at our disposal cannot be applied easily to such actors. In the case of internal conflicts characterized by the existence of complex groupings of militias and criminal elements, it is difficult in practical terms to enforce the accountability of these individuals. This is an area which requires serious study to explore possible solutions.

The success of our efforts to promote protection for civilians in armed conflict depends largely on our willingness to take bold steps in a number of critical areas. I wish to highlight some of these, which should form part of a broad-based and comprehensive strategy to address the plight of these persons.

First, there is an urgent need to ensure that the special protection and humanitarian needs of vulnerable groups, particularly women and children, are addressed in the mandates of peacemaking, peacekeeping and peace-building operations. The Council's recognition of the importance of child protection represents an important development in efforts to address the special needs of children. In this regard, we strongly support the inclusion of specific provisions in peace agreements, and in the mandates of United Nations peacekeeping operations for disarmament, demobilization and reintegration, particularly of child soldiers. The momentum already gained in this area must be maintained. Further action needs to be taken to offer women and girls special protection, particularly from acts of sexual violence.

Second, the question of impunity must be resolutely addressed in the most innovative ways in order to deter future violations of human rights by parties to armed conflict. Adopting appropriate targeted measures; including the imposition of arms embargoes where parties to conflicts deliberately target civilians in violation of international humanitarian law, could represent an important and effective means of achieving this objective.

Third, the design and implementation of Security Council sanctions must be improved significantly to increase their effects on targeted groups while minimizing their unintended effects on civilians. During our debate earlier this week on general issues relating to sanctions, my delegation emphasized that the appropriate use of humanitarian exemptions and "smart" sanctions were critical elements in our effort to reduce the unintended humanitarian impacts of sanctions regimes.

Fourth, appropriate responses must be developed with the cooperation of other international bodies, regional organizations and civil society during the early phases of conflicts to curb the illicit traffic in small arms and light weapons, which contribute to the escalation of conflicts and which result in serious harm to civilians. Supporting initiatives to promote mine action, where appropriate, should also become part of the Security Council's response to civilian tragedies.

Fifth, provisions must be made as a matter of course for appropriate training in international humanitarian, human rights and refugee law for personnel involved in United Nations operations, and for sensitizing them about the conditions in the countries concerned.

Sixth, every effort should be made to ensure that peacekeeping missions have appropriate mandates and adequate resources in order to strengthen their ability to offer credible and adequate protection to civilians in situations of conflict. In this connection, we must ensure that the civilian nature of refugee camps is maintained and that the issue of protection for internally displaced persons is addressed.

Seventh, improving the environment for the safe and secure provision of humanitarian assistance to individuals in need is a major challenge. Attention to legal and physical protection for humanitarian personnel should be given greater priority. Humanitarian workers must be able to offer their services in situations of conflict and should be allowed to do so without being subjected to abuse.

In all of these areas, much remains to be done; and increased cooperation between the Security Council, the General Assembly and the rest of the United Nations system, regional bodies and non-governmental organizations will prove essential for achieving progress and for ensuring a comprehensive approach to protection for civilians in armed conflict.

These concerns, among others, are at the heart of the Security Council's mandate for the maintenance of international peace and security. The clear connections between large-scale human suffering, systematic and widespread violations of the rights of civilians and the breakdown in international peace and security increase the need for the Council to keep this issue at the forefront of its agenda.

While the action already taken by the Security Council to improve the protection of civilians is a step in the right direction, my delegation believes that there is a further need for ensuring that the international community takes a comprehensive, integrated approach to the problem. This approach must involve not only the improvement of physical and legal protection, but must also be aimed at eradicating the root causes of armed conflict. Prevention of armed conflicts is the best protection and in this regard, the Security Council must

place special emphasis on the development of appropriate preventive measures.

As highlighted by the Secretary-General in his 1999 report on the work of the organization, long-term prevention strategies must seek to prevent destructive conflicts from arising in the first place. A holistic approach to maintaining peace and protecting civilians should therefore involve the development of appropriate early warning and information-gathering mechanisms.

In his report on the protection of civilians in armed conflict, the Secretary-General reminded us that the responsibility for the protection of civilians cannot be transferred to others, and that the United Nations is the only international Organization with the necessary reach and authority. The draft resolution before us today, which my delegation is pleased to support, seeks to recommit the Security Council to this task.

The President: I thank the representative of Jamaica for her kind words addressed to me.

Mr. Yel'chenko (Ukraine): My delegation endorses the statement that will be made by the representative of the Azerbaijan Republic on behalf of Georgia, Ukraine, Uzbekistan, Azerbaijan and the Republic of Moldova.

I also wish to join previous speakers in expressing our appreciation to the delegation of Canada for organizing today's open debate and for its tireless efforts to bring it to a successful conclusion.

We also thank President Kellenberger of the International Committee of the Red Cross (ICRC) for his excellent presentation.

My delegation had an opportunity to state its position on these issues on several occasions, and I will limit my remarks to those points that we feel particularly pertinent in the context of today's stage of our deliberations.

One can hardly find any other topic on the agenda of the Security Council that has attracted such genuine and vivid attention on the part of the members of this body, and of the international community as a whole, for the past several years. Its consideration passed through several distinct stages, gaining each time more and more momentum and thus bringing the Council closer to more substantive results. In 1999 alone we witnessed several interesting debates on this issue, not to mention discussions on a number of related topics throughout the year.

Preparation by the Secretary-General of his momentous report containing a body of recommendations set an important agenda and the basis for further work by the Council, as well as by other United Nations bodies. Last month the Council provoked an unusually keen debate, with participation of the wider United Nations membership, on humanitarian aspects of its work. That debate brought to the surface several difficult but important questions regarding the role of the Security Council and other United Nations organs in considering humanitarian issues, as well as the limits on the Council and other international actors in taking action for humanitarian purposes.

The draft resolution we are going to adopt today provides answers to many of those questions. It also represents a major milestone in the work of the Security Council and reflects a growing consensus among the members of the international community as to the ways and means to ensure protection of civilians in armed conflicts. The draft resolution effectively reaffirms that the Council can and will act in situations where deliberate targeting of civilians and systematic, flagrant and widespread violations of international humanitarian and human rights law constitute a threat to international peace and security. Other provisions of the resolution define areas where the Council action is essential and establish standards for such action.

I would like to mention another important feature of the approach adopted by the Security Council in considering the recommendations presented in the Secretary-General's report. By confining itself to the recommendations related to the physical protection of civilians and deciding not to embark upon other matters, the Council left important issues for consideration by the wider United Nations membership and thus set a clear precedent for its future work in this area. The Council took this decision consciously, with due regard for many concerns that had been voiced by non-members of the Council in this regard and in consideration of the need to improve its working methods and increase coordination with other United Nations bodies. My delegation considers this particularly important, especially in view of the fact that the Council requested the Secretary-General to submit his next report on the subject in March 2001.

Prevention of conflicts is an important part, probably the key part, of the overall strategy aimed at protection of civilians. Prevention, containment and elimination of conflicts constitute the main task of this

body. Apart from the need to focus on the economic and social causes of conflicts, which is the major task of the whole Organization, we believe there is also an obvious need to elaborate a framework document to define clear-cut principles and criteria, as well as effective mechanisms for the authorization by the Council of enforcement measures to prevent armed conflicts within States at their earliest stage.

We think that such a universally accepted document could substantially enhance the capacity of the Security Council for early action to avert the potential outbreak of internal armed conflicts. Such regulation could definitely create better conditions for unanimity among the members of the Security Council, especially the permanent ones, in a decision-making process. We would also like to emphasize that any such preventive action by the Council should be based on the Charter of the United Nations and principles of international law, including the principles of the political independence, sovereignty and territorial integrity of States. It is important that the draft resolution to be adopted make explicit references to these norms and principles.

A number of important recommendations by the Secretary-General relating to the legal aspects of enhancing the protection of civilians were left outside the scope of the draft resolution. We would like to comment on some of these.

First of all, Ukraine fully subscribes to the recommendation contained in the report regarding the need to accelerate ratification of the Rome Statute of the International Criminal Court. While recognizing that the text of this document may not be perfect in all respects and that further work is needed to finalize the necessary legal framework, we view such a court as the only viable democratic mechanism of a universal character to enforce respect for international humanitarian law. By signing the Rome Statute several months ago, my country took its first step towards participation in this instrument. Recently, extensive work was undertaken in Ukraine to elaborate and eventually adopt the necessary implementing legislation that will lead to the ratification of the Statute.

In this regard, Mr. President, I wish to point out that the efforts of your country and your personal commitment serve as a valuable example and strengthen our determination to pursue this cause. I would also like to commend the elaboration of the Crimes Against Humanity Act, which makes Canada the first country to have

developed comprehensive legislation to implement the Rome Statute.

Let me also emphasize the importance my country attaches to the 1994 Convention on the Safety of United Nations and Associated Personnel. Its entry into force last year represents significant progress in strengthening the regime of protection of people in the service of the United Nations operating in conflict zones under the mandate of the Security Council or General Assembly. At the same time, we recognize that the Convention is far from adequate for ensuring the same level of protection to categories of United Nations and associated personnel engaged in operations other than those specifically authorized by the Security Council or the General Assembly. We wish once again to put on record our support for the elaboration and adoption of an additional protocol to extend the scope of legal protection for United Nations and associated personnel.

We regret the fact that during the last decade children have appeared among combatants. The recent finalization of a draft optional protocol to the Convention on the Rights of the Child on the minimum age for children in armed conflict represents a significant contribution to the protection of the rights of this most vulnerable group. We hope that its eventual adoption by the General Assembly will be followed by rapid ratification by States and subsequent effective implementation in their national legislation.

In conclusion, I wish to reiterate Ukraine's support for the draft resolution before us today. By adopting it, the Council takes a significant step forward in developing its policies and practices aimed at the effective protection of civilians in armed conflict. We look forward to the next report of the Secretary-General, which, we hope, will enable us to make further progress in this direction.

The President: I thank the representative of Ukraine for his very fine words.

Mr. Chowdhury (Bangladesh): It is a great pleasure to see you, Sir, chairing this important meeting of the Council on the subject to which your personal commitment, your country's proactive interest and the dedication of the Canadian delegation are well known. For some time now we have been pleased to see the Council's engagement in the humanitarian aspects of issues before it. Today's open meeting is a sequel to that, and we are happy to participate in the debate.

I will take this opportunity, if you will allow me, Sir, to thank you personally for your very gracious words of appreciation for Bangladesh's presidency of the Council last month. We acknowledge the presence of the new president of the International Committee of the Red Cross, Mr. Kellenberger, and we thank him for his comprehensive statement touching upon important aspects of the issues of the protection of civilians. The presence of the Secretary-General at the outset of our debate today is very much appreciated, and we believe his statement also effectively drew attention to the subject under discussion.

Since the debate we had on the report of the Secretary-General on the protection of civilians in armed conflict, issued last September, the subject has received increasing attention in the Council's work. We consider today's deliberations to be the culmination of that initiative in that there is now a draft resolution based on the recommendations of the Secretary-General contained in that report.

The draft resolution is on a subject which is of a somewhat evolving nature in the sense that the nature of the conflict, changing as it does, defines the protection needs of the civilians. We feel that the experience of the United Nations in dealing with situations of armed conflict has also changed, for various reasons. This only shows that the task of defining Council action in meeting the needs of civilians in armed conflict will have to evolve over time. Therefore, one set of steps cannot be considered a panacea for all situations.

Having said that, we do feel that some commonalities exist between the protection needs of civilians in differing situations of armed conflict, and that they could be effectively addressed. Our support for the draft resolution is based on that premise.

It is perhaps no wonder that in the draft resolution, while considering ways to provide for the protection of civilians, steps have been considered to address the relevant issues on a case-by-case basis and as appropriate. From this point of departure, we see it address the special protection needs of women, children and other vulnerable groups, including refugees and internally displaced persons. The mention of the existing legal framework, including the Charter, international humanitarian law and human rights and refugee law, although considered inadequate, appears to be comprehensive.

We support enhancing the capacity of the United Nations for rapid deployment in conflict situations. We also

support preventive deployment, which can be an effective action to prevent an impending crisis. Bangladesh supports the focus on situations where refugees, internally displaced persons and other sections of the civilian population are deliberately placed in vulnerable situations. We need to improve the security of refugee camps so that armed elements cannot threaten the situation there. The need for United Nations peacekeeping missions to include a media component to disseminate information relevant to their purpose and mission is a welcome proposal.

We support the consideration given to the appropriateness of temporary security zones and safe corridors for the protection of civilians and the delivery of emergency assistance. We reiterate our support for the issue of incorporating measures relating to the disarmament, demobilization and reintegration of ex-combatants, particularly child soldiers, in the mandates of United Nations peacekeeping operations. The incorporation of a mass media component, a novel approach in our opinion, should also be useful in many situations.

It is equally important to provide training to personnel on international humanitarian, human rights and refugee law, as well as in negotiation and communication skills, cultural awareness and civil-military coordination.

We welcome the Council's decision to set up an informal working group on a temporary basis on the general issues of sanctions, and support its consideration of the recommendations contained in the Secretary-General's report. It is heartening to note that the General Assembly's Special Committee on Peacekeeping Operations has considered the recommendations. While looking forward to the next report of the Secretary-General on the issue under consideration, we affirm our intention to support the draft resolution.

The President: I thank the representative of Bangladesh for his kind words.

Mr. Keita (Mali) (spoke in French): I would like first of all to express my delegation's satisfaction at seeing on the Security Council's agenda the issue of the protection of civilians in armed conflict. Allow me to welcome the presence here today of the President of the International Committee of the Red Cross (ICRC). We wish to pay tribute to him for the efforts made by his institution in the protection of civilians.

The protection of civilians in armed conflict remains a cause of great concern to the international community. The increasing number of conflicts and the systematic recourse to violence against the civilian population, in violation of the norms of international law and international humanitarian law, attacks against United Nations personnel, associated personnel and humanitarian workers are a serious threat to international peace and security. We must adopt a concerted approach consonant with the purposes and principles of the United Nations Charter.

In his report of September 1999, the Secretary-General made a striking analysis of the situation and formulated a number of recommendations that we fully share and support. At this point, my delegation would like to make just a few concise observations.

First, concerning the protection of civilians, deliberate acts of violence against civilians in times of conflict require greater involvement of United Nations bodies, all Member States, civil society, non-governmental organizations working in the field and above all the State on whose territory the conflict is taking place so that the acknowledged principles of respect for humanitarian law will produce the necessary positive results.

In addition to physical protection, civilians require greater legal protection, and this implies wider accession to the various instruments relating to international humanitarian law, the incorporation of these instruments into domestic law and above all their implementation, which will contribute to the creation of a more solid basis for the legal protection of civilians. This legal framework would be relevant to the new guidelines on protecting vulnerable groups, women and children, refugees, displaced persons, humanitarian personnel and the staff of peacekeeping missions.

Secondly, sanctions, as the coercive instrument of the international community, are also a source of serious concern because of their humanitarian repercussions. We believe that the imposition of sanctions must from now on take into consideration human security, and that is why we are in favour of targeted sanctions. We must make sanctions more humane, as it is not our duty to create conditions of humanitarian catastrophe through excessive rigidity.

Thirdly, concerning the proliferation of light weapons and small arms, the massive and uncontrolled use of these arms remains a serious threat to human security. They are easy to acquire and use, and they have become a symbol of

the suffering of civilian populations. This is why my delegation would like to emphasize the importance of measures to stem the flow of illicit weapons, and particularly small arms and anti-personnel landmines. The West African subregion has taken some useful initiatives in that area, including a resolution on small arms and a moratorium on the manufacture, import and export of light weapons.

The international community, hitherto helpless in terms of ensuring that embargoes are respected and preventing illegal arms transfers to areas of conflict, must react with greater cooperation and coordination in the overall effort to stem the proliferation of light weapons and attenuate their devastating impact. The United Nations conference on small arms in 2001 will undoubtedly be the beginning of a solution in this area.

Fourthly, in connection with peacekeeping, the multitude and type of conflicts and their disastrous impact on civilians call for the establishment of multidimensional peacekeeping operations. This is why we believe that peacekeeping operations must be endowed with clear mandates in all areas, including better monitoring of refugee camps. This is why we are glad to see the protection of civilians, and particularly children, being covered in peacekeeping mandates. My delegation would like to emphasize once again the need for concerted and coordinated action between the United Nations and regional and subregional organizations in this field in order to bring about the desired degree of confidence.

We support the implementation of the Secretary-General's recommendations he highlighted in his statement this morning, particularly the creation of a rapid intervention force and preventive missions.

The protection of civilians in armed conflict must go beyond the merely physical and legal protection advocated in the report. It must include the economic, social and cultural protection of populations, because there is no longer any doubt about the close linkage between peace and economic security. Human security can flourish only in that context.

Finally, we wish to support the important draft resolution that we are about to adopt and restate my country's firm commitment to promoting the culture of peace and opposing the culture of impunity.

The President: I shall now make a statement in my capacity as the Minister for Foreign Affairs of Canada.

At the outset, allow me to express my appreciation to the members of the Council for the attention and consideration that they have shown me during my presence here in the past few days and for their cooperation with my country's delegation in addressing the human security challenges facing the international community. I will also take, as the representative of the United Kingdom said, deep reflection on the arcane ways of the Council back with me when I return to Ottawa later this afternoon. It certainly has been an experience and I thank the Council for it.

Allow me, as well, to join with others in expressing appreciation to Secretary-General Annan for his very strong declaration and his continuing leadership in this field. I particularly welcome Mr. Kellenberger for his remarks, which not only set out very important ideas, but vividly evoked the suffering endured by millions of war-affected people whom his organization must deal with on a daily basis.

The words of the Secretary-General and Mr. Kellenberger underline very dramatically how the victimization of civilians has become motive, means and manifestation of modern armed conflict. It is a cruel reality that none of us can ignore. In our increasingly interconnected world, the insecurity of others sooner or later becomes a matter of our own insecurity. This new global context has, as a result, forged common interests and common humanity into what I believe is a powerful impetus for common action.

For Canada and our foreign policy, this has meant putting a priority on people's security. It was the inspiration behind the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, the impetus for the creation of the International Criminal Court and the motive for our efforts to address the proliferation of small arms and the needs of war-affected children.

Advancing this human security agenda was also one of the objectives that Canada set for itself in seeking a seat on the Security Council. Some may recall that, last February, during our first presidency, I came to the Council to encourage it to make the protection of civilians in armed conflict a primary concern in this Council's work.

Last fall, the Secretary-General presented a remarkable report that pointed the way ahead and the Council responded with resolution 1265 (1999) — its own commitment for action — under the presidency of the

Netherlands. Today, the Council will take action that gives further coherence to this activity and that effectively sets a new course for the Council in defending the safety of people. The Secretary-General's report was a blueprint for action. The draft resolution we will adopt today is a handbook. Most importantly, the text before us entrenches the principle that, in the pursuit of peace, the security of people is at least as worthy a subject as the security of States. In both spirit and letter, the draft resolution provides the basis for Council concern and action for this purpose.

This does not mean that the State is obsolete. On the contrary. As the representative of the United Kingdom pointed out in his very eloquent statement, human security does not weaken sovereignty, but strengthens it by reinforcing democratic, tolerant, open institutions and behaviour that do protect people. For another thing, the State remains the most powerful instrument for pursuing collective action.

It does, however, reflect a shift in the perspective of this Council, where the security of people is no longer a by-product, but is increasingly becoming a central tenet of the Council's work. The text before us calls attention to specific human security threats that require action. This is important because consciousness itself stimulates conscience. We need to know before we can act. Recent Council debates on issues of direct concern to the safety of people have served this purpose very well: on conflict prevention, sponsored by Slovenia; on small arms, initiated by the Netherlands; on the protection of United Nations and humanitarian workers, under the direction of Argentina; on war-affected children, chaired by Namibia; on the situation of refugees and internally displaced persons in Africa, presided over by the United States; and, of course, on the broad humanitarian aspects of issues, which was brought before the Council by the representative of Bangladesh.

The draft resolution pulls together many of these strands and highlights, with particular emphasis, the special needs of women and children in conflict, the importance for unhindered humanitarian access to conflict zones, the protection of refugees in their camps and the pursuit of those who violate security. In so doing, it creates an obligation and responsibility for the Council to shape its work accordingly.

The text before us also moves forward Council practices in the defence of people. In the last year, new peacekeeping missions have been deployed in Kosovo,

East Timor and Sierra Leone, each with a robust and explicit mandate to facilitate humanitarian efforts and to offer direct protection to civilians. The text before us reinforces this very crucial statement and responsibility of the Council.

There is also a movement to adapt the use of sanctions so that they can enhance, rather than diminish, the safety of people. The Council's decision Monday to create an informal working group to provide concrete reform proposals and its action yesterday to strengthen the Angola sanctions regime are, again, positive signs that there is a new direction appearing and that we are building. The provisions of the draft resolution advance these practices with further procedural references to peacekeeping, the use of sanctions and information-sharing between the Security Council and the United Nations system and its members.

Council members would be the first to agree that neither they, nor anybody else, has a monopoly when it comes to protecting civilians in armed conflict. In response, this draft resolution links Council practice to initiatives elsewhere — such as the landmines campaign and efforts to prosecute war criminals — that promote human security. For example, with regard to war-affected children, there is considerable momentum for global action. In January, as many have noted, there was an international agreement on raising the age at which young people can be deployed in combat. Later this month, Ghana and Canada will host a conference in Accra to catalyse efforts in the West African region on the protection of war-affected children. In September, Canada will host an international conference bringing together Governments, international agencies and civil society to develop a global plan of action. This will provide a basis for the work on the special session on children over which the representative of Jamaica will be presiding next year. Council engagement in these areas can go a long way towards complementing the impact of these initiatives. They work in complementary fashion.

In sum, the text before us conveys this basic message: people — not just States — are subjects of global relations, and the security and basic rights of people — not merely the absence of military conflict between States — are fundamental to world stability and peace. Coming from the Security Council, this is a powerful message of change for the United Nations and the international community.

However, it is clearly not a message without considerable challenges, nor one that has been met with

undiluted enthusiasm, as we have seen. Those who have suffered under colonialism and other outside involvement in their countries might well be skeptical. However, preventing abuse, stopping atrocities and dealing with the impact of war are also their issues, pertaining to their realities and clearly affecting stability in their regions. Others argue that the promotion of human security diverts attention and funds from the more basic priority of development. But far from being mutually exclusive, human security and human development are just opposite sides of the same coin. It is hard to devote resources to improving the gross national product when they are being spent to repair the ravages of war. Freedom from fear is an indispensable precursor to freedom from want. The two go together.

Translating human security principles into practice also means grappling directly with difficult, highly charged subjects, being active in difficult, intractable conflicts where human suffering is great and taking action in difficult circumstances when the use of military force may be necessary to alleviate extreme abuse. No one in any way diminishes the difficulty and complexity of these kinds of initiatives.

There has been progress; we have seen it. But frankly, there have also been setbacks. Resistance to taking robust Council action last year in Kosovo, reticence in dealing openly in this Council with issues related to internally displaced people and reluctance by the Council to become more engaged in certain conflicts that take a relentless and appalling toll on human life all make clear the need for improvement.

There are, finally, some very practical considerations in promoting human security. Council decisions aimed at protecting the safety of people are only as good as our ability to carry them out. This is no secret. For the most part, we know what is needed — faster, more resolute and more effective response. Ultimately, this takes political will and the application of considerable resources. Neither is inexhaustible, and the willingness of the international community to commit them is still an open question.

To be sure, work by the Council to promote human security remains a work in progress. It is work that should continue, because human security, including the security of civilians, must not be an issue that is considered just once or twice a year. This draft resolution will ensure that it becomes an integral part of the Council's deliberations each and every time it considers

action — that, in effect, human security is hardwired into the Council's operations.

Our discussions over the last few days — on the Rwanda genocide, the Angolan conflict, the general use of sanctions and the protection of civilians in armed conflict — point to immediate concerns that need Council focus. They also suggest that the Council's hardwiring needs to be part of a system-wide rewiring. Growing threats such as the abuse, trafficking and proliferation of small arms; emerging trends such as the increasing role of non-State actors, both in perpetuating war and promoting peace; and new and complex human security challenges in specific areas like the Horn of Africa, including Sudan, where a confluence of natural disasters and man-made

warfare, especially the relentless and systematic targeting of civilians, results in extreme human suffering — these all require a global system that is appropriately programmed to respond.

The Millennium Assembly offers an occasion to put concern and action for human security and safety where it belongs: at the very centre of the United Nations system. The Council's action today is a step in this direction, providing leadership and renewed meaning to the principles of the Charter and giving renewed hope to the peoples for whom this Organization was founded.

The meeting was suspended at 2.15 p.m.



Security Council

Fifty-fifth Year

4130th Meeting

Wednesday, 19 April 2000, 11.35 a.m.
New York

Provisional

Corrigendum

Page 12, first column, first full paragraph, seventh line

For legal basis read legal aspects





Security Council

Fifty-fifth Year

*Provisional***4130th** Meeting
 Wednesday, 19 April 2000, 3 p.m.
 New York

<i>President:</i>	Mr. Axworthy	(Canada)
<i>Members:</i>	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	China	Mr. Wang Yingfan
	France	Mr. Levitte
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Keita
	Namibia	Mr. Andjaba
	Netherlands	Mr. Scheffers
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Yel'chenko
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Ms. Soderberg

Agenda

Protection of civilians in armed conflict

Report of the Secretary-General to the Security Council on the protection of civilians in armed conflict
 (S/1999/957)



The meeting was resumed at 3.20 p.m.

The President: The next speaker inscribed on my list is the representative of Portugal. I invite him to take a seat at the Council table and to make his statement.

Mr. Monteiro (Portugal): I again have the honour to speak on behalf of the European Union. The Central and Eastern European countries associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta, as well as the European Free Trade Association countries members of the European Economic Area, Iceland, Liechtenstein and Norway, align themselves with this statement.

This debate is another important milestone in the discussions also initiated under the Canadian presidency of the Security Council in February 1999 on the protection of civilians in armed conflict. The European Union would like very much to thank you, Mr. Minister, as well as the Canadian delegation and Ambassador Fowler, for organizing this debate today and for having chaired the informal working group established pursuant to resolution 1265 (1999).

We hope that a concrete framework of action will emerge from this debate and that, based on the recommendations and proposals contained in the rightly commended report of the Secretary-General on this subject, that framework will establish clearer guidelines for the response by the United Nations system to the growing need to protect civilians in armed conflict. The European Union sees the work currently being undertaken on the protection of civilians in armed conflict as an ongoing process and looks forward to the next report by the Secretary-General on this subject.

In recent times, conflicts have most often been of an intra-State nature. In his report to the Millennium Assembly, the Secretary General wrote that such conflicts "have violated, not so much borders, as people" (A/54/2000, para. 193) living within those borders. We are increasingly confronted with the need to protect individuals and communities against armed conflict in their immediate neighbourhoods.

Safe and unimpeded access to those in need of assistance is an obligation under international humanitarian law and one which national authorities are legally bound to ensure. This obligation also extends to all other parties to

a conflict. We know, however, that in many instances this legal obligation is deliberately flouted. The European Union believes the Council should make clear in its relevant resolutions that civilian populations must have unimpeded access to humanitarian assistance and that there should be full cooperation with the United Nations in providing such access. The safety and security of those entrusted with the delivery of assistance and supplies must also be ensured.

While men account for the largest number of combatants, women and children are disproportionately represented among civilians affected by conflict. Women also constitute the majority of refugees and internally displaced persons. The specific needs of women, children, the elderly and the disabled should be taken into account in camps for refugees and internally displaced persons, in the mandates of peacekeeping and peace-building operations and, whenever possible, during the negotiation of peace agreements. The situation of children in armed conflict is an area of particular concern.

The humanitarian character of camps and settlements for refugees and internally displaced persons should be strictly enforced, and the deployment of international military observers or other personnel should be envisioned when it has become evident that these camps are being used to achieve military purposes.

The dire situation of some 25 million persons who have been forced to leave their homes due to the outbreak of conflict is receiving increased attention on the part of the international community. The Secretary-General recommends in his report on the protection of civilians in armed conflict that the States concerned follow the legal guidance afforded by the Guiding Principles on Internal Displacement. We most definitely support that recommendation. The European Union would also like to encourage the Council to contribute to an increased awareness among Member States of the importance of the Guiding Principles on Internal Displacement and to examine what possible role it could play with regard to the protection of internally displaced persons and in the dissemination of those Principles.

We also welcome the decision adopted by the Inter-Agency Standing Committee earlier this month to the effect that the Emergency Relief Coordinator, acting in his own capacity or on suggestions from the humanitarian or resident coordinators, should bring to the attention of the Security Council issues concerning

internally displaced persons whenever that is deemed appropriate.

The legal protection of civilians in armed conflict can also be enhanced. The European Union fully supports the call of the Secretary-General for the ratification of the major instruments of international humanitarian law, human rights law and refugee law, for the withdrawal of those reservations which weaken the protection of civilians, and for the taking of all appropriate legislative, judicial and administrative measures to implement those instruments.

The Security Council could play an active role in convincing Member States that have not yet done so to ratify the 1994 Convention on the Safety of United Nations and Associated Personnel. Serious consideration should be given to expanding the scope of the Convention to include locally recruited personnel, who are essential to the functioning of peacekeeping and humanitarian missions.

Furthermore, the activities of the two existing ad hoc Tribunals should be fully supported by all Member States, especially with regard to complying with their orders and requests for the arrest and surrender of accused persons. In this context, the International Criminal Court will be crucial. The European Union urges those who have not yet signed the Rome International Criminal Court Statute to do so and all States to proceed to ratification as soon as possible. Our common persistent efforts to combat impunity for war crimes is also an important contribution to the prevention of renewed armed conflict.

The first step to be taken in the protection of civilians is, of course, to prevent conflicts. The link between the prevention of armed conflicts, the facilitation of the peaceful settlement of disputes and the protection of civilians during armed conflict, in particular the protection of human life, has been well established by this organ, most recently in its presidential statement of 30 November 1999. The European Union stresses the importance of a comprehensive approach to conflict prevention extending from early warning to post-conflict peace-building. This, in turn, requires the promotion of a culture of prevention within the international community. It also entails paying attention to an expanded view on security.

However, it should be reiterated that conflict prevention is based on respect for the Charter of the United Nations and other provisions of international law, including human rights. When this fails, the international community has an obligation to act. It has at its disposal a plethora of measures that, if used judiciously and in a timely manner,

can be powerful tools in the prevention of full-fledged conflicts.

The European Union would like to encourage the Secretary-General to resort more often to the prerogative conferred on him by Article 99 of the Charter. Both the Secretary-General and Member States should be invited to bring to the attention of the Council any matter which, in their opinion, may threaten peace and security. The establishment in the Council secretariat of an early-warning mechanism for coordination and systematic dissemination of reliable early-warning information, including human rights information, could be one way to support and facilitate the work of the Secretary-General.

The early deployment of preventive missions should also be considered whenever possible. Because conflict situations evolve quickly, the United Nations must be ready to plan and deploy its operations accordingly. They must be placed on the ground as soon as possible, with sufficient resources to achieve the mandates entrusted to them by the Security Council.

At that early stage a number of measures could be envisioned, ranging from the use of fact-finding missions, special envoys and monitors to preventive diplomacy and a more consistent use of information and analysis made available by independent treaty body experts and mechanisms of the United Nations Commission on Human Rights in order to determine potential conflicts and to act preventively. Improvement of the capacity of the Secretariat in terms of expertise and resources could also be contemplated upon the identification by the Secretary-General of any additional requirements needed to fulfil his capabilities.

The European Union supports proposals to expand the scope of the United Nations standby arrangements system, including by increasing the number of civilian police and specialized civil administration and humanitarian personnel. We also support the proposal that peacekeepers and humanitarian personnel be trained in human rights and international humanitarian law, including child- and gender-related provisions.

With regard to disarmament, demobilization and reintegration (DDR) programmes, these can be essential to a peace process and should be included early in the relevant peace agreements and mandated by the Security Council with sufficient resources. A successful DDR programme can break the cycle of violence.

There are about 500 million small arms and light weapons in circulation and considered responsible for roughly 90 per cent of all deaths in contemporary conflicts. Their easy availability has aggravated too many conflicts, whose ruthlessness is hardly understandable at the dawn of the twenty-first century. Stopping the illegal traffic of these weapons must be a priority for the international community. A greater use of embargoes is one of the tools at the disposal of the Council and one it should use more often, but embargoes per se can be of little value if they are not respected and enforced by all States, not least by the neighbouring countries.

As the Secretary-General recommends, the Security Council can also use targeted sanctions to deter and contain those who commit grave violations of international humanitarian law or human rights, including those parties to a conflict which do not refrain from attacking civilians. In this context, it is very much linked to the other debates we had under your presidency, Sir.

The European Union had the occasion to further elaborate on the subject of sanctions in a statement delivered before this Council on 17 April, and again on 18 April on the occasion of the consideration of sanctions against UNITA.

The Secretary-General has identified, in his report on the protection of civilians in armed conflict, a comprehensive set of preventive measures that, if followed through, could have a positive impact on enhancing the security of civilians in conflicts. General pronouncements alone will not change much, even if they do, importantly, raise awareness of the plight of civilians in conflicts.

As the Secretary-General has himself stated:

"We know what needs to be done. What is now needed is the foresight and the political will to do it".

The President: The next speaker on my list is the representative of Israel. I invite him to take a seat at the Council table and to make his statement.

Mr. Lancry (Israel): I wish to emphasize our appreciation for your leadership in this discussion and to commend the several discussions that preceded it over this past year. In the months since the Secretary-General presented us with his report, we have seen special attention given to the protection of civilians in places like Sierra Leone, Angola and others. This gave birth both to short-term and long-term measures. More importantly, it

added to a renewed focus on the plight of civilians targeted in armed conflict.

As the report of the Secretary-General pointed out, physical protection must precede legal protection. It is the more immediate need. We have seen efforts to begin integrating ex-military forces into civil society. We have seen attempts to place United Nations peacekeepers in areas where civilians are vulnerable. We have seen plans to increase civilian police, which would be a welcome development across the globe.

Still, all of these practical steps begin with a legal one: identifying the deliberate targeting of civilians as a distinct crime. As we recall, resolution 1265 (1999) strongly condemns the deliberate targeting of civilians. We should also recall that the Secretary-General's report in September specifically used the word "terror" to describe such actions and noted that:

"The violence is frequently perpetrated by non-state actors ... and privately financed militia."
(S/1999/957, para. 8)

These affirmations serve to identify and help criminalize the tactic of wilfully targeting civilians. They also reaffirm that any violations by States or militias are worthy of the attention of the Security Council. Moreover, by criminalizing the tactic itself, we prevent actors from hiding behind their political or military purposes. The international community has finally established that no end justifies a deliberate assault on the innocent. This is a universal principle, and the next step might be for Member States and entities to explicitly outlaw the practice.

Still, we have only scratched the surface. The question still plagues us: how did the century that saw the birth of our international human rights instruments also witness the most vicious targeting of civilians in human history? Less than 50 years after the conventions on genocide, human rights and humanitarian law, we saw the systematic destruction of entire civilian households, both in Europe and in the African continent.

Moreover, our current age has marked the growth of a new tactic, which is as cynical as it is brutal: the use of civilians as human shields. This practice must itself be included as part of the same theme, for it is in essence the same crime: the deliberate attempt to cause the death and suffering of civilians in armed conflict.

Nevertheless, the root causes continue to elude us. The above-mentioned report refers in paragraph 48 to "the obligation ... to prevent the open incitement to violence against particular groups". We must recall that the worst case of targeting civilians, in the century just past, began with the vilification of an entire people. This continues to be the case today. Groups that attack civilians are often also guilty of conducting media campaigns against entire peoples or ethnic groups.

This is no coincidence. We must demand that States do their utmost to prevent demonization before — and especially after — it reaches the point of violence. The outlawing of incitement to violence is a step in the right direction. But more must be done to promote a climate of peace and respect for human rights. This begins with respect for the human rights of all peoples, regardless of ethnic group, religion or nationality.

There is another point that is worth emphasizing: civilians must never be the direct target of war; however, they must certainly be the target of peacemaking. All efforts at diplomatic reconciliation, between States and parties, must be supplemented by efforts to promote normalization of relations between peoples and societies. In this manner we can lay the groundwork for a climate in which civilian life and human dignity will be respected. Let us hope that the focus on the innocent, beginning in this forum, will set the stage for a greater recognition of the inherent rights of all human beings across borders and continents. Then civil society will be truly safe and free.

The President: The next speaker is the representative of the Republic of Korea. I invite him to take a seat at the Council table and to make his statement.

Mr. Suh Dae-won (Republic of Korea): I would like to begin by expressing my delegation's appreciation to you, Minister Axworthy, for your efforts to generate greater participation in the work of the Security Council. I likewise commend you for once again providing a forum for the interests and concerns of the international community relating to security issues of a humanitarian nature, including in the open debate of the Council on "general issues relating to sanctions" on 17 April 2000. My delegation also offers thanks to the Secretary-General and his staff, and Mr. Kellenberger, the new President of the International Committee of the Red Cross, as well as the informal working group of the Security Council, for their indispensable work on this issue.

Since my delegation introduced the issue of the protection of humanitarian assistance to refugees and others in conflict situations to the Council during its Security Council presidency in 1997, we have been following the Council's successive measures on this issue with deep interest. We note with satisfaction that the Council has held a number of meaningful discussions dealing with the protection of civilians in conflicts, which resulted in the adoption of resolution 1265 in September 1999. We applaud the Council's continued efforts to fulfil its responsibilities in this regard in a more concrete and action-oriented manner.

In his report in document S/1999/957, the Secretary-General rightly emphasizes the close connection between widespread violations of the rights of civilians and breakdowns in international peace and security. The Security Council has also confirmed through many resolutions that violations of international humanitarian law constitute a continuing threat to international peace and security. Today's alarming breaches of international humanitarian norms therefore flout both the authority of this Council and the spirit of the Charter of the Organization.

My delegation supports the Secretary-General's recommendations contained in document S/1999/957 and the Council's decision to consider appropriate steps to implement his recommendations at this juncture. The ever-widening gap between our international humanitarian norms and an often dreadful reality calls for not only the Security Council, but the whole international community to act decisively and promptly.

Let me address several points to which my delegation attaches particular importance.

First, despite an ever-expanding legal corpus, there is still room for improving the protection of civilians in conflicts within our international legal framework. Indeed, the existence of international law does not mean that it can be upheld only by effective measures to ensure compliance. It is imperative that a culture of compliance begin to prevail so that legal protection and physical protection are no longer two separate matters.

It is in this context that my delegation echoes previous speakers in expressing its expectations for the future role of the International Criminal Court (ICC). I am pleased to announce that my Government signed the Statute of the ICC last month, and we invite others that have not yet done so to become signatories. My

delegation also supports the Secretary-General's view that there is a need to consider using enforcement measures to facilitate the arrest and surrender of those persons accused by ad hoc tribunals and to devise judicial and investigative mechanisms with national and international components pending the establishment of the International Criminal Court.

The Statute of the Court stipulates that attacks against humanitarian or peacekeeping personnel constitute war crimes. With a view to better ensuring the safety of United Nations and humanitarian personnel, we join the Secretary-General's call for an early ratification of the 1994 Convention on the Safety of United Nations and Associated Personnel. We also believe that the proposal to extend the scope of the 1994 Convention to cover wider categories of humanitarian personnel, including local staff, deserves favourable consideration.

Secondly, my delegation concurs with the Secretary-General's recommendations for a more proactive use of preventive monitoring in areas of potential conflict and in the deployment of preventive peacekeeping missions, which have already proved to be effective. In this context, we would like to join in appealing to all Member States to participate more actively in the stand-by arrangement system. Today the Secretary-General made an important suggestion: to create a rapid deployment force. This idea certainly merits further discussion.

Furthermore, in view of the multifaceted nature of recent conflicts, there is an urgent need to strengthen the United Nations rapid-reaction capability to cover more than the traditional mandates of peacekeeping. It should also cover a number of other functions, such as the protection of humanitarian assistance to civilians. It goes without saying that mandates for peacekeeping operations should be more precise and comprehensive in order to provide effective direction and clarity.

Thirdly, my delegation appreciates the attention that has recently been given to improving sanctions. The Security Council, for its part, has made consistent efforts to refine the use of sanctions. While we recognize the difficulty of achieving effective "targeted sanctions", we also believe that there is a continuing need to minimize collateral — albeit unintended — humanitarian suffering through the imposition of more specifically targeted sanctions and periodic substantial review mechanisms.

While we all continue to seek more effective and smarter sanctions, tighter arms embargoes should be sought

in all situations where the parties to the conflict target civilians. In this regard, effective measures must be taken to control the flow of small arms and light weapons to conflict areas. My delegation strongly supports the suggestion made by Under-Secretary-General Prendergast at Monday's Council meeting that sanctions regimes should be endowed with more effective monitoring capabilities, including the necessary resources and expertise. We will continue to support the efforts of the Council and the Secretary-General to strike a balance between upgrading the credibility of sanctions and minimizing human suffering.

Fourthly, it is worth giving serious attention to the Secretary-General's suggestion that we provide States with political and financial support to facilitate compliance with the Ottawa Convention. Mine clearance is an urgent precondition to a minimum level of safety for civilians. A donor to the Mine Action Support Group, my Government has also been contributing since 1996 to the Voluntary Trust Fund for Assistance in Mine Clearance in support of demining activities in Cambodia, Tajikistan, Guatemala and El Salvador. We will continue to make such contributions and invite others to do the same.

Finally, we would like to re-emphasize the primary importance of maintaining the civilian and humanitarian character of camps for refugees and internally displaced persons. We fully support a number of practical suggestions in this regard, in particular the deployment of international military observers and the relocation of camps to a safe area away from war zones. While recognizing that primary responsibility for the protection of internally displaced persons rests with the Governments concerned, we support the Secretary-General's recommendation for a wider use of the Guiding Principles on Internal Displacement in the work of the United Nations.

Let me close by reiterating my delegation's hope that the Security Council will continue to expand its involvement in the protection of civilians in conflict situations in the months to come. The Republic of Korea, for its part, will continue to be actively engaged in this important process and to contribute to its success.

The President: The next speaker inscribed on my list is the Federal Minister for Foreign Affairs of Austria, Mrs. Benita Ferrero-Waldner, who is returning home to the United Nations as a longtime member of the family here.

I invite her to take a seat at the Council table and to make her statement.

Mrs. Ferrero-Waldner (Austria): Let me begin, Mr. President, by extending my appreciation to you and to your country for having taken the initiative in February last year to bring before the Security Council the very important issue of the protection of civilians in armed conflict. It is a particular pleasure to see you presiding over this meeting today. I wish therefore to congratulate you, and, through you, the Security Council, on the encouraging results which — in a little more than a year's time — have been achieved so far in addressing this matter.

The steady increase in civilian casualties in conflict situations strikes us as one of the past century's most horrific features. Sadly — and I am stating the obvious for the Council — the 1990s proved no exception to this pattern, but rather culminated in armed conflicts marked by massive, deliberate brutality against civilians, with particularly negative effects on women, children and other vulnerable groups.

This is true for every region of the world, and I would like to welcome the particular emphasis the Council has placed recently on Africa. In my capacity as Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE), I will concentrate today on the OSCE region and on the steps taken by the OSCE to better protect civilians in times of conflict.

An impressive number of instruments of international humanitarian and human rights law have been adopted since the Second World War. But as we enter a new century, we are still far from a worldwide "climate of compliance". The law continues to be broken, violated and, unfortunately, ignored. I would like, therefore, to welcome the landmark report of the Secretary-General to the Security Council on the protection of civilians in armed conflict. In this report, he has presented a set of courageous yet very practical proposals, including measures that the Council can adopt within its sphere of responsibility with a view to developing effective responses to this ongoing challenge. In adopting resolution 1265 (1999) of 17 September 1999, the Council welcomed the Secretary-General's report and supported many of its recommendations. The Council also underlined the importance of consultation and cooperation between the United Nations and other relevant international organizations and actors, including regional organizations, in this respect. Furthermore, it expressed its willingness to work in cooperation with regional organizations to examine

how these bodies might better enhance the protection of civilians in armed conflict.

As the Council is aware, cooperation between the United Nations and the OSCE takes place on a multitude of levels. Apart from our day-to-day cooperation in the field and the humanitarian and political tasks we face together in some regions of the OSCE area, there are important issues of common concern regarding the way we approach the challenges of the new century. The topic of this debate concerns one of them.

As stated in the Charter for European Security, adopted in Istanbul in November 1999, the OSCE will seek ways of reinforcing the application of international humanitarian law in order to enhance the protection of civilians in times of conflict. I believe that working together with the Security Council in this respect would only seem natural and mutually beneficial.

At this point, I should also like to highlight that at the Istanbul Summit, the OSCE laid the foundations for a strong focus on the concerns and situation of the individual human being. Ultimately, it is the OSCE's aim, as expressed in the Summit Declaration, "to improve human security and thereby to make a difference in the life of the individual".

Keeping these words in mind, Austria, which holds the Chairmanship-in-Office of the OSCE, strongly believes that in situations of armed conflict, the OSCE must focus its attention on the victims and the vulnerable — their interests, rights and protection. In this connection, and as part of an integrated approach to security policy, the Austrian Chairmanship-in-Office has put special emphasis on taking concrete steps to better protect civilians in armed conflict.

One important aspect is the protection of children affected by armed conflict, an issue that has been dear to us for a long time. In September last year, therefore, we suggested that the question of children in armed conflict be considered regularly in the OSCE framework. Austria greatly appreciated the initiative of the Special Representative of the Secretary-General for Children and Armed Conflict, Olara Otunnu, in proposing a 10-point agenda by which the OSCE could undertake to make the protection of children affected by armed conflict a central policy concern.

At the OSCE Istanbul Summit of November 1999, the heads of State or Government of the participating

States of the OSCE endorsed this approach. They committed themselves to actively promoting children's rights and interest, especially in conflict and post-conflict situations. They decided to regularly address the rights of children in the work of the OSCE, including by holding a special meeting in the year 2000, dedicated to children in armed conflict, and to pay particular attention to the physical and psychological well-being of children involved in war or affected by armed conflict.

In this connection, a Human Dimension Seminar on children and armed conflict will be held from 23 to 26 May 2000 in Warsaw, with the aim of raising awareness within the OSCE, including OSCE field presences, about the effects of armed conflict on children and the aim of examining the possibilities for intervention by the OSCE to address them. I therefore take pleasure in informing the Council that Mr. Olara Otunnu, as well as representatives of the United Nations Children's Fund and other international organizations and non-governmental organizations, will contribute to that meeting.

Another key issue which is high on our agenda as OSCE Chairman-in-Office, is the problem of internal displacement. Persons displaced within their own countries by internal conflict and grave violations of human rights and humanitarian law pose a great challenge to which both our organizations are called to respond. The protection of and provision of assistance to millions of internally displaced people must become a priority concern to us. The same holds true for the ultimate aim of their return to and reintegration in their places of origin. Within the United Nations, important work has been done on this topic by the Representative of the Secretary-General for Internally Displaced Persons, Mr. Francis Deng. He has been a catalyst of greater attention to the problem of internal displacement, working both within the United Nations system and in collaboration with regional organizations, such as the Organization of African Unity.

Austria also took the initiative to raise the issue of displacement within the OSCE. A Human Dimension Seminar on this topic, with the participation of Mr. Francis Deng, will be held later this year. Among its objectives will be the promotion of the wider use of the Guiding Principles on Internal Displacement and their integration into the work of the OSCE.

In conclusion, let me express my conviction that there is great potential for further and closer cooperation between our organizations in dealing with the protection of civilians in armed conflict. The examples which I have mentioned

may be just a beginning. There is scope to intensify our efforts and to expand cooperation to other areas of common interest, such as the fight against the proliferation of small arms, the monitoring, protection and promotion of human rights in conflict zones and the training of field mission personnel, as well as peacekeeping and peace-building operations.

I strongly believe that such common endeavours to protect the vulnerable, building on our positive experiences of cooperation in the past few years, will soon lead to concrete results. They will be felt positively by those whose well-being we wish to secure. This in itself should encourage us to intensify our work in this direction.

Finally, let me greet the Austrian students from the University of Vienna who are studying international organizations and who are sitting in the Gallery. They have followed this meeting very diligently.

The President: I endorse the welcome that the Minister for Foreign Affairs of Austria gave to the students here. It is always great to see them observing the Council in action.

The next speaker on my list is the representative of Singapore. I invite him to take a seat at the Council table and to make his statement.

Mr. Mahbubani (Singapore): Allow me to begin by congratulating the delegation of Canada on arranging another discussion on this important topic in this Chamber and to thank the Secretary-General for his comprehensive report. We would also like to commend you, Minister Axworthy, for your decision to preside over this debate in person. Your personal presence here bears eloquent testimony to Canada's commitment to its human security agenda. We would also like to acknowledge the contribution made by Mr. Kellenberger this morning and to pay tribute to the International Committee of the Red Cross (ICRC) for its substantial contributions over the years through its efforts to bring relief to civilians and those in need, often under very trying circumstances.

As this is the fourth meeting we have had on this subject, it may be fair to ask ourselves whether we are going in the right or wrong direction in our discussions — that is to say, will all our discussions actually lead to fewer civilians being killed in armed conflicts?

Our first goal in the United Nations is always to prevent conflict, or, as the United Nations Charter states, "to save succeeding generations from the scourge of war". However, if conflict occurs — and it is likely to occur again — our job is to ensure that we protect the lives of civilians before those of soldiers in these conflicts. Is this goal realistic?

We should begin by acknowledging that civilians have been killed in armed conflict for thousands of years. In an annex attached to our remarks, we have reproduced two tables from a recent book by Michael Renner, which indicate the heavy casualties among civilians in armed conflicts before and after 1945. Whether we live in Asia, North America or Europe, none of us has been spared the horrors of war. Indeed, as recently as 1898, in the Spanish-American War, up to 95 per cent of the victims were civilians.

As we enter the twenty-first century, the great conceit that we have begun to believe in is that mankind as a whole has become more civilized. Indeed, we have in some respects. Inter-State wars seem to be a sunset industry. With a few exceptions, we do not see large armies in the field killing each other.

But unfortunately, a new trend has emerged. In place of inter-State wars, we now see more intra-State wars. Hence, it is no longer a case of soldiers killing soldiers. Instead, as we heard at the debate on the Carlsson report, on Rwanda, last week in this Chamber, it is neighbours who kill neighbours, friends who kill friends, civilians who kill civilians. Rwanda is not the only place in recent history where civilians have killed civilians. We have seen the same thing in Sierra Leone, in Kosovo and elsewhere.

We should, of course, be dismayed that such recent atrocities have taken place despite the great progress we have made in formulating rules to protect civilians and combatants alike against some of the more reprehensible acts of war. These norms are clearly set out in the Geneva Conventions, as well as in other instruments of international humanitarian law. We can therefore support the call by the Secretary-General to encourage a "climate of compliance" (*S/1999/957, para. 5*), which many others have echoed in their remarks today — a "climate of compliance" of existing rules and principles.

But how does one explain humanitarian law to combatants, who are often underaged, poor and illiterate, let alone expect them to comply? Even the ICRC has

acknowledged the difficulties of applying accepted humanitarian norms in today's "new" conflicts. It states,

"The lack of discipline among belligerents, the targeting of the civilian population as weapons flood the territory and the increasingly blurred distinction between combatants and non-combatants often cause confrontations to take an extremely brutal turn in which there is little place for the rules of law."

Clearly, the long-term solution to this problem is to promote development and education. But is there anything we can do in the meantime to save civilian lives when an armed conflict breaks out? Here, we should be grateful for the incisive analysis and recommendations contained in at least three recent reports: the Secretary-General's report on the protection of civilians in armed conflict, of 8 September 1999, the Carlsson report on the 1994 Rwanda genocide, of 15 December 1999, and the Secretary-General's report on Srebrenica, of 15 November 1999. If we read these reports in detail, as we all should, we will find many valuable solutions.

I also understand that the Council's informal working group has been studying the Secretary-General's comprehensive recommendations since last September to examine how they could be implemented. But let us remember that the peoples of the world will judge the United Nations not by its words but by its deeds. What message, for example, was conveyed by the deeds and actions of United Nations operations in Rwanda and Srebrenica? Will such history repeat itself again? Will the United Nations once again be paralysed by political inertia and apathy? Will soldiers again abandon supposedly safe areas, leaving innocent civilians as sitting ducks ready for the inevitable ensuing slaughter? Will the United Nations once again send a mission that is from the start grossly understaffed, under-resourced and ill equipped?

If we are to be completely honest with ourselves, we have to admit that both in Srebrenica as well as Rwanda, it would appear that the protection of the lives of soldiers was more important than the protection of the lives of civilians. Although this may appear strange at first sight, we know why this happened. We congratulate Ambassador Peter van Walsum of the Netherlands for candidly explaining the source of the problem:

"It is understandable, but unfortunate, that a troop-contributing country which suffers heavy

casualties will inevitably find itself under pressure from its parliament and its media to withdraw its contingent. The more this reflex can be counted on, the greater the likelihood that precisely such a contingent will be targeted by parties opposed to the peace operation. We have no solution for this problem, but it raises a discomforting question as to the suitability of democratic countries for peace operations." (S/PV.4127, p. 6)

Fortunately, not all democracies behave in this way. In East Timor, the lives of hundreds of thousands of East Timorese civilians were also threatened by rogue militia. Fortunately, in this case the United Nations authorized the deployment of a well-equipped international force, under strong leadership and provided with a clear mandate. This force had the will to robustly execute its mandate. In so doing, this operation proved that the United Nations could fulfil its responsibility of preventing the brutalization of innocent civilians by armed militia.

Clearly, all conflict situations are different. But none — I repeat, none — provide easy solutions. As Foreign Minister Lloyd Axworthy of Canada told the Council last week,

"the protection of civilians requires strengthening our disposition to intervene with force if necessary." (*ibid.*, p. 24)

Minister Axworthy may have been stating the obvious. But the key implication of what he said is often unmentionable in the Security Council — to save civilians you need effective military forces. The question is, where will they come from and who will pay the costs? In the case of East Timor, for example, every Australian taxpayer was asked to pay an additional 1,000 Australian dollars per person. How many taxpayers in democracies are prepared to do this?

Even when troops and resources are available, it may not necessarily mean that civilians will be protected. It is troubling that Timothy Garton Ash, in a recent article in *The New York Review of Books*, has reported a growing intolerance of all other ethnic groups among the Kosovars. Ash has also detected what he had called "reverse ethnic cleansing" taking place in Kosovo "under the very noses and tank barrels of more than 40,000 international troops".

Resolution 1291 (2000), which extended the mandate and authorized the expansion of the United Nations

Organization Mission in the Democratic Republic of the Congo (MONUC) in the Democratic Republic of the Congo, exemplifies yet again the difficulties of reconciling the lofty ideals of today's debate and the actual painful decisions made by the Council. MONUC's mandate to protect civilians is deliberately couched in even more conditional language than the mandate given earlier to the United Nations Mission in Sierra Leone (UNAMSIL). A quick comparison of resolution 1291 (2000) and resolution 1289 (2000), expanding UNAMSIL, will, we believe, illustrate this point.

In short, we should recognize that protecting civilians in armed conflict will require hard decisions. Considerable resources, human and otherwise, have to be placed at risk. Consistent and coherent policies have to be worked out. But in this context, is it fair to ask the United Nations Department of Peacekeeping Operations to do more when it is being starved of resources, especially from the United Nations major contributors? Is it not obvious that an underfunded United Nations can do little to protect civilians?

Our remarks today are not intended to create pessimism. But we should set realistic expectations for the civilian populations of the world about what the international community can and cannot do. On this we agree with the point made by Minister Axworthy this morning when he described the work of the Council here today to promote human security as being work in progress. Indeed, last week Minister Axworthy also cited a very moving account given by Philip Gourevitch in his book of how young, defenceless Hutu girls in a convent school refused to leave the side of their Tutsi friends, even though they were ordered to do so by the *genocidaires*. The simple question that the rest of the world will ask of the United Nations in the future is whether the soldiers will display the same courage and sacrifice as those Hutu girls, or whether they will be withdrawn by their parliaments and media at the first hint of danger.

The President: The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kobayashi (Japan): Let me start by extending my appreciation for your initiative, Mr. President, in the discussions in the Council on the serious and growing problem of civilians in armed conflict.

I should also like to join the others who this morning welcomed Mr. Jakob Kellenberger, the President of the International Committee of the Red Cross (ICRC). I wish to take this opportunity to express Japan's continuing support for the worthy work that the ICRC is carrying out around the globe under his able leadership.

Today, I shall not dwell upon our basic recognition that the majority of victims in an armed conflict are civilians — mainly women and children — as this has been articulated by many others in the previous debates in the Council; nor shall I comment here on all the interrelated and valuable recommendations that are about to be adopted by the Council. Rather, I should like to try to shed some light on today's theme by discussing how to respond to the plight of internally displaced persons.

The displacement of civilians is a matter of international peace and security, since peace, reconciliation and reconstruction in war-torn communities depend, at least in part, on their effective reintegration. Moreover, if unaddressed, internal displacement not only causes internal instability but may also spill across borders and upset external and regional stability.

I should like now to express Japan's views on how to address the issue of internally displaced persons by stressing the following two basic points.

First, Japan supports the approach taken by Mr. Francis Deng, Representative of the Secretary-General on Internally Displaced Persons, which is based on the belief that sovereignty is responsibility. Under that approach, through analysis and dialogue with Government and agencies in the field, the international community would jointly try to solve the problem. When a given Government is not in a position to completely fulfil its responsibility — for political, economic, or other reasons — then the international community can come in to help, with the consent and understanding of that Government. Japan believes that such an approach should be strongly enhanced, and in this context Japan is considering extending some financial support to facilitate Mr. Deng's worthy efforts.

My second point pertains to how better to respond to the issue of persons displaced by armed conflicts. If you recall, in the Council last January Ambassador Holbrooke, of the United States, made an eloquent case for the need to address a displaced population that remains within the borders of a State wrecked by conflicts. His suggestion that the Office of the United Nations High Commissioner for

Refugees (UNHCR) might play a wider role in the response to the issue of internally displaced persons triggered an intense debate in the international community on how to address this pressing subject. The realities in the growing number of cases of displacement and the activities of humanitarian agencies both suggest that the protection aspect of the response towards internally displaced persons has clearly been weak.

Mrs. Sadako Ogata, the High Commissioner for Refugees, has responded to Ambassador Holbrooke's suggestion with a qualified "yes". According to her, in such cases where refugees and internally displaced persons are generated by the same causes, or where refugees have sought asylum across borders in areas where there are also internally displaced persons, UNHCR would be able to utilize its expertise and skills to protect the displaced persons. This, in our eyes, and in the eyes of the international community, I believe, would be a very encouraging sign that the need to protect civilians affected by armed conflict is meeting with a better response. This is so because it would mean efficient use of limited resources, as well as avoiding layers of bureaucracy.

It is also encouraging to know that efforts towards greater coordination on the humanitarian front are being made by the United Nations and relevant organizations. The Inter-Agency Standing Committee, chaired by the International Red Cross, is pursuing more accountability in the international response to internally displaced persons. I shall not go into detail here on the desirable institutional arrangements that have been under deliberation, and recently with greater intensity. What should be kept in mind, however, when undertaking this exercise is that there is no model method for protecting civilians caught in an armed conflict. Each conflict has a different historical and geographical background, and the pattern of activities by United Nations agencies and other international bodies differs in each conflict and each post-conflict situation. Whichever body has the most value-added expertise, and whichever is well placed in the field, should be designated as being accountable. A coherent and comprehensive response by all actors — including better protection, assistance and economic recovery for internally displaced persons — needs to be pursued effectively.

I should like to conclude by expressing the readiness of my Government to actively take part in the effort by the international community to seek ways to address the issue of displacement. When effective methods are

agreed, you can be assured, Mr. President, of Japan's full support and cooperation.

The President: The next speaker inscribed on my list is the representative of Egypt. I invite him to take a seat at the Council table and to make his statement.

Mr. Aboul Gheit (Egypt)(spoke in Arabic): As the Security Council resumes its consideration of the report of the Secretary-General on the protection of civilians in armed conflict and the report of the working group that followed up that report, we wish to reaffirm our position: the Security Council should not be the only body to consider this issue or its report. We believe that the report should also be considered by the General Assembly, with all its recommendations, so that the Assembly can look into the general principles therein on reducing human suffering, including the protection of civilians in armed conflict. We may recall what the Council has said in the past regarding the protection of civilians in armed conflict within the context of full respect for the delicate balance of powers between the principal organs of the United Nations, as reflected in the Charter. These include the General Assembly, other United Nations organs and governmental and non-governmental bodies outside the United Nations involved in the protection of civilians.

We welcome and advocate action by the Council, in accordance with the powers entrusted to it in the United Nations Charter, in situations where civilians are targeted or where there is interference with the delivery of humanitarian assistance. We also strongly condemn the targeting of civilians in time of war. Egypt calls on all States parties to a conflict to respect the rights of civilians and to refrain from using civilians as a means of achieving political or military goals. Egypt believes that the delivery of humanitarian assistance to civilians should not be hampered and that civilians should not be used as human shields.

We also call for the same standards to be universally applied. There are rules of international humanitarian law that apply to all States, large and small. In this context, we note the Council's position on issues referred to in the report before it. First, targeting civilians in armed conflicts is prohibited, and respecting human rights is a binding obligation. It is indeed our primary objective to ensure the implementation and application of that law. The Charter calls for respect for such legal norms and standards. Failure to respect these laws can lead to threats to international peace and security. Certain ideas that have not yet achieved international consensus are being voiced in

certain quarters. However, we believe we must continue to develop specific criteria to be used where the violation of legal norms leads to a threat to international peace and security.

We must never use double standards or favour the political interests of certain Members of the United Nations, more specifically, of the permanent members of the Security Council. We must not favour their interests over those of the other Members of the United Nations as a whole. We believe the Council should take into account the entire issue of powers granted to it under the Charter. When the Council takes action vis-à-vis certain States that have violated international norms, it must respect the restrictions contained in the Charter. It must consider the situation, then report on the situation and determine whether the conflict in question is indeed a threat to international peace and security. Any internal dispute over a territory should not be regarded *ipso facto* as a threat to international peace and security.

We support action by the Council to protect personnel providing humanitarian and international assistance. We believe they must be allowed to do their job. They must have access to areas of conflict. Organizations involved in the delivery of humanitarian assistance must also respect the principles of neutrality, impartiality and humanity. These points are contained in the guidelines contained in General Assembly resolution 46/182.

Egypt believes that the provision of humanitarian assistance to civilians in time of war should be carried out with the consent of or at the request of the countries concerned. There must be full respect for the sovereignty, territorial integrity and political independence of States and for their national legislation. Humanitarian assistance must not be used as a cover for action in support of the political interests of any particular State or group of States. When we speak of providing humanitarian assistance, we are thinking of programmes carried out under the auspices of the United Nations or the International Committee of the Red Cross. The consent of the States parties to the conflict is required. Those States must then provide protection for the personnel providing the humanitarian assistance. We do not believe that any organization should take unilateral decisions to offer assistance to civilians in any particular State without obtaining the prior consent of the State concerned.

There are provisions in the Charter on the sovereign equality, territorial integrity and political independence of States, and the Council has to take those principles into account when dealing with issues of security — for example, in the establishment of temporary secure zones or safe corridors for the delivery of humanitarian assistance.

Another point I would like to make is that when dealing with humanitarian assistance to civilians in armed conflict, the international community has to distinguish between States within whose territories there are Governments that impose the law and other States where there is virtually no legitimate Government. The latter case is of course an exception to the rule. However, one must always proceed on the basis of consensus.

Internally displaced persons do not constitute a totally separate category; they are civilians and international human rights laws and conventions provide appropriate protection for civilians. So we believe that we need to ensure respect for these conventions, rather than invent new norms to protect one particular category of civilians to the exclusion of others. Protection for displaced persons is the responsibility of the Governments of the States represented in the United Nations as a whole.

On the question of preventive diplomacy, fact-finding missions and so forth, we believe that the Council can carry out certain actions in order to prevent conflict and reach a peaceful settlement to a conflict. Chapter VI of the Charter is relevant here, and of course the consent of the State concerned is required, because these procedures are in fact voluntary.

In connection with peacekeeping missions and operations, and how they are related to the protection of civilians in armed conflicts, the Security Council must be cautious in those cases where it gives a mandate to a peacekeeping operation to protect civilians against any dangers threatening them in armed conflicts. When the Council takes such a decision, it must also take into account the fact that, in considering each case individually, it is setting a precedent for other, similar cases. Double standards and selective application of such standards should be avoided.

We also believe that human, technical and other resources must be made available so that any responsibilities given to peacekeeping operations can in fact be fulfilled. Perhaps I could just give one rather glaring example, that of the tragic events of Srebrenica, which should never have been allowed to recur.

In concluding, I should like to thank you very much indeed, Mr. President, for all the work that you have done in promoting the activities of this Organization. Canadian diplomacy has always had an important role to play in connection with the United Nations. You have also done your utmost to ensure respect for the law. I would also note the excellent relations, based on mutual respect, between Egypt and Canada. Also, at an individual level, you yourself have excellent relations with your Egyptian counterpart.

The President: I thank the representative of Egypt for his kind words addressed to me.

In accordance with the decision taken earlier in the meeting, I invite the Permanent Observer of Switzerland to the United Nations to take a seat at the Council table and to make his statement.

Mr. Staehelin (Switzerland) (spoke in French): I would first of all like to thank you, Mr. Minister, and the Canadian presidency for having organized this debate, thus giving us the opportunity to express our views on an issue of crucial importance. I welcome the participation of the President of the International Committee of the Red Cross (ICRC) in this morning's debate, and I wish to pay tribute to the tireless efforts of the ICRC on behalf of the victims of armed conflicts throughout the world.

Switzerland welcomes the draft resolution submitted to the Security Council for consideration, which describes the initiatives that the Council and the entire international community could undertake in order to improve the protection of civilian populations in armed conflicts.

In earlier statements, I have had the opportunity to affirm my country's priorities for action in the humanitarian field, such as respect for international humanitarian law, the protection of civilian populations, unimpeded access to victims of conflict and the security of humanitarian personnel. I will therefore confine myself today to three specific points that I believe to be of major importance and deserving of in-depth consideration.

First, the question of the protection of civilian populations in armed conflict compels us to consider the current evolution of these conflicts throughout the world. The proliferation of complex and prolonged emergency situations, as seen recently in Somalia, the Democratic Republic of the Congo, Angola, Burundi, Sierra Leone, Afghanistan and many other countries challenges the

bases on which human rights and international humanitarian law instruments have been developed.

Respect for the provisions of these legal instruments is broadly based on the responsibility of States; but we see that non-State armed actors — armed groups, private militia — tend to be increasing. It is deeply disturbing to see that in the most recent internal conflicts, civilians not only are the victims, but are becoming targets for the warring parties. Many studies have been made of this situation, including very recently in the excellent report of the Secretary-General on the millennium.

It is therefore important to ensure respect for the rule of law and for humanitarian principles by non-State armed actors. We are obviously aware of the concrete problems that this poses. Suffice it to mention the question of recognition of these actors as subjects of international law or the question of the legitimacy accorded them by involving them in a political dialogue. Yet it must be noted that armed groups often have considerable power over the territory under their control. As military entities, they may also be called upon to ensure protection of the civilian population and to facilitate humanitarian operations in the areas under their control. They are also actors who must be taken into account if peace negotiations are to begin.

As we reflect on these issues, we must necessarily be guided by common article 3 of the Geneva Conventions, which enshrines the minimum rules of conduct that apply to all of the parties to a conflict and which admit no derogation.

The second priority also falls within the framework of the human security strategy. In addition to what should be a continuing struggle to eliminate anti-personnel mines and to strengthen victim assistance programmes, the question of small arms and light weapons must be at the forefront of our concerns. My delegation believes that it is urgent to establish stricter control over these weapons and their transfer, which would involve preventive and regulatory measures alike. Our agenda in this field must include the marking of small arms and light weapons, measures to monitor their trade and the development of codes of conduct and actions to reduce the number of these weapons already in circulation in areas of conflict.

The Security Council, as the organ with primary responsibility for the maintenance of international peace and security, can also contribute to these efforts and provide an impetus for all partners concerned to do likewise.

Lastly, I wish to mention here the need more closely to involve the economic actors, and in particular the private sector, in the search for lasting solutions to armed conflict. Recent discussions on Angola and Sierra Leone have made this clear. We have reason more systematically than in the past to try to achieve cooperation among representatives of the humanitarian community, the States concerned and the economic actors.

Finally, the development of, and respect for, codes of conduct and thorough work within the framework of the global covenant proposed by the Secretary-General could also yield the innovative solutions that we urgently need.

The President: The next speaker inscribed on my list is the representative of Bahrain. I invite him to take a seat at the Council table and to make his statement.

Mr. Bualay (Bahrain) (spoke in Arabic): Since this is the first time I am addressing the Security Council this month, I should like, Sir, to express to you our congratulations on your assumption of the presidency of the Council. I should like also to express my thanks and appreciation to you for holding this important meeting on a very important subject: the protection of civilians in armed conflict.

Today we cannot but devote greater attention to the suffering of unarmed civilians in situations of armed conflict. Civilians are terrorized, brutalized, tortured, and murdered at the hands of parties to conflicts, despite the fact that the inadmissibility of attacking civilians is enshrined in international humanitarian law and in human rights law.

The situation calls for immediate and prompt action that is not restricted to the agreements and rules governing this issue but also extends to working towards ensuring greater respect of these agreements and rules by the parties to a conflict.

While we must deal with the root causes of armed conflict in a drastic and comprehensive manner in order to provide long-term protection for civilians through the promotion of economic growth, the elimination of poverty, the realization of sustainable development and national reconciliation, we must also take immediate measures to force the combatants to show greater respect for the rights of civilians in armed conflict. Dealing with any armed conflict in a comprehensive manner requires

a long period of time, during which civilians should not be kept without protection.

At previous open meetings held by the Security Council on the issue of the protection of civilians in armed conflict, there was unanimous agreement on condemning the targeting of civilians in armed conflict and attacks against targets that are subject to the protection of international law. At those meetings it was stressed that it was of the utmost importance to implement appropriate protective measures.

On 17 September 1999, the Security Council adopted resolution 1265 (1999), which deals with two major aspects of the problem. The first one relates to encouraging the parties to a conflict to respect their obligations under international humanitarian law, human rights law and refugee law, in particular those contained in the Hague Conventions of 1899 and 1907, and in the 1949 Geneva Conventions and their 1977 Additional Protocols.

The resolution also stresses the issue of responsibility, so that the phenomenon of impunity can be dealt with, thereby ensuring that those responsible for genocide, crimes against humanity and other serious violations of international humanitarian law are brought to justice. It stresses also that it is extremely important to guarantee unhindered access of humanitarian assistance personnel to civilians in armed conflict, and to ensure the safety, security and freedom of movement of United Nations personnel.

Here we would like to emphasize the importance of this aspect, bearing in mind recent incidents in which parties to a conflict launched attacks and used force against United Nations personnel and against other personnel from international humanitarian organizations.

The second aspect of the problem that is dealt with in that same resolution concerns the role of the Security Council and the United Nations in the protection of civilians in armed conflict. In this regard, we believe that greater importance should be attached to the issue of the excessive stockpiling of small arms and light weapons, in view of their negative effects and the destabilization they cause, and that we should do our utmost to prevent the use of these weapons and their proliferation. In this regard, I would like to stress that the States exporting such weapons bear the greatest responsibility.

As for the recommendations contained in the report of the Secretary-General on the protection of civilians in

armed conflict — many of which will be adopted by the Security Council at the end of this meeting in the form of a draft resolution — they contain many positive measures that could improve the situation of civilians in armed conflict. However, those measures should be implemented in a manner consistent with the purposes and principles of the United Nations, as set out in the Charter. I say this because if certain measures are applied without taking into account the special characteristics of each situation, or without due regard to the principle of the sovereignty and territorial integrity of States, they may harm not only individuals, but also States. Of course, harm to States results in harm to individuals, since individuals make up States. Such an outcome would be undesirable, and we therefore believe that our objective should always be to ensure full protection for civilians and, at the same time, to preserve the principles on which the United Nations was established.

I should like to refer to one more important issue with regard to the protection of civilians in armed conflict. When efforts to provide such protection fail, there is always the possibility that such civilians, particularly refugees, may, willingly or unwillingly, become participants in the fighting on one side or the other, thereby contributing, deliberately or otherwise, to the conflagration and further complicating and perpetuating the conflict, with undesirable consequences. It is clear, therefore, that the protection of civilians in armed conflict is an imperative for all of us.

The President: The next speaker inscribed on my list is the representative of Azerbaijan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kouliev (Azerbaijan) (spoke in Russian): I have the honour to speak on behalf of Georgia, Uzbekistan, Ukraine, Azerbaijan and the Republic of Moldova on the question of civilians in armed conflict.

At the outset, I should like to thank the members of the Security Council for the unflagging attention that they have been giving to the issue of the protection of civilians in armed conflict. This is not merely an acute problem of life today, but a priority for the international community, especially the Security Council. I should also like to thank the delegation of Canada for taking the initiative of holding a debate on this item in the Security Council. Your delegation's efforts, Sir, are designed to give real content to the concept of human security and to make it concrete through practical actions.

The States in our group are grateful to the Secretary-General for his report on this issue, contained in document S/1999/957, which includes specific recommendations as to how the Security Council, acting within its mandate, could enhance the level of physical and legal protection for civilians in armed conflict.

Our debate today can be seen as an integral part of the ongoing process within the Security Council to work out comprehensive approaches to the settlement of conflict situations that will not only enable us to put an end to violence and reduce to a minimum the suffering of the civilian population, but help in the search for stable and lasting solutions to the conflicts themselves.

As we see it, there are at least two aspects to this issue, so we must take an approach that is appropriate for each one. The first aspect relates to ensuring the physical protection of the civilian population, the consideration of which is among the responsibilities of the Security Council. The second aspect is more general. A unique mechanism exists, consisting of various elements ranging from the body of international humanitarian law to the activities of various humanitarian organizations that try to protect the rights of civilians in armed conflicts and to provide them with assistance.

During earlier meetings of the Council focusing on this issue, almost all the speakers agreed that in armed conflict today there is an increasing tendency for civilians to be deliberately and arbitrarily targeted for attack, subjected to violence and killed. We are greatly concerned by the fact that genocide, ethnic cleansing and other gross violations of human rights have not only become linked to modern armed conflicts, but, in manner of speaking, have developed into just another way of waging war.

With regard to this burning issue, some of the countries in our group can speak not merely on the basis of hearsay, but from experience of the tragic consequences of such actions. The States in our group would like to emphasize that the civilian population must never be targeted in armed conflict, regardless of their political, ideological, racial, ethnic or religious nature or for any other reasons. Obviously, unless there is an appropriate response to such violence against civilians, those negative tendencies will continue to develop and may even become irreversible, with the result that more and more people will be dragged into the conflict, the area of the conflict will grow increasingly larger and peace and stability will be threatened, which in turn will provide fertile ground for the emergence or strengthening of ethnic hatred.

Of particular concern is the situation of internally displaced persons. Today, there are over 20 million people in this category, which needs sufficient attention on the part of the international community. During earlier meetings of the Council on this issue, Mr. Olara Otunnu, the Special Representative of the Secretary-General for Children and Armed Conflict, drew our attention to the fact that the most vulnerable group of the population is displaced persons.

In this connection, the States in our group regard as extremely important the work being done by Mr. Francis Deng, Representative of the Secretary-General on Internally Displaced Persons. We would also like to note how much we appreciate the work done by the Office of the United Nations High Commissioner on Refugees, headed by Mrs. Sadako Ogata. We also appreciate the work done by the Office for the Coordination of Humanitarian Affairs, headed by Mr. Sergio Vieira de Mello.

Attention must also be given to the problem of the return of refugees and other displaced persons to their former homes when the territory is not controlled by the legitimate Government. We are speaking about physical and legal protection for those persons. Armed conflict which has not been completely resolved can flare up again with renewed force, giving rise to a new wave of violence against civilians and bringing all prior peacemaking efforts to nothing.

We would also note the special link of modern armed conflict with aggressive separatism and religious extremism. These negative phenomena today are one of the main challenges of the twenty-first century. Our group of countries regards them as one of the root causes of bloodshed and continuing military conflicts that directly threaten the lives of the civilian population, regardless of their racial, ethnic or religious identity.

The countries of our group believe that today one particularly crucial issue is coordinating efforts by the world community as it seeks legal mechanisms and instruments for combatting terrorism. Our countries strongly support the initiative of Uzbekistan — made public at the Istanbul summit of the Organization for Security and Cooperation in Europe in 1999 — on the establishment of an international centre to combat terrorism.

Another issue of particular concern involves the illicit supplying of weapons to areas of conflict. We must

step up our efforts to put an end to this. Halting the flow of weapons, including small arms and light weapons, into areas of chronic instability can be one of the main elements of a strategy to combat acts of violence against civilians and humanitarian personnel. In this context, we cannot fail to be deeply disturbed over violations of arms embargoes imposed by the Council. We strongly advocate strengthening the effectiveness of such embargoes. At the same time, it is quite clear that unless we solve the question of how to prevent and limit the uncontrolled proliferation of weapons, it will be difficult to settle conflicts and ensure security for civilians. Here we can only agree with the recommendations of the Secretary-General that arms-exporting countries should at least exercise restraint, especially when exporting weapons to areas of conflict or tension.

The States belonging to our group believe that the best way of protecting civilians in armed conflicts is to effectively prevent conflict. The root cause of humanitarian crises must be removed by using inter-ethnic reconciliation, confidence-building measures and economic development and by supporting national stability.

We also believe that regardless of where and when conflict erupts, it is necessary to urge the parties involved to put an end to the conflicts as quickly as possible by peaceful means. They should also strictly comply with the norms of international law, and insofar as they can, they should provide protection and assistance to civilians. They should not allow any kind of violent attacks on civilians, and they should not allow any interference with the delivery of humanitarian assistance.

In conclusion, I would like to stress the importance of efforts to achieve consensus in the United Nations, on the basis of which one can integrate, in a balanced way, the work being done by the General Assembly, the Security Council, the Economic and Social Council, the specialized agencies and other international participants to develop the best possible conceptual framework for ensuring more scrupulous respect for the norms of international law, on the one hand, and, on the other hand, to move beyond the provision of humanitarian assistance into the area of organization-building and socio-economic development.

It is our hope that the Security Council, once it adopts the important draft resolution on this item today, will very carefully monitor the protection of civilians and react appropriately to all cases where the lives and security of peaceful people are threatened.

The President: I thank the representative of Azerbaijan for his kind words addressed to the Canadian delegation.

The next speaker on my list is the representative of Australia, whom I invite to take a seat at the Council table and make her statement.

Ms. Wensley (Australia): Today's debate on the protection of civilians in armed conflict is a welcome opportunity to consider more fully, and to hear the considered views of a substantial number of Member States — including, importantly, non-Council members — on the issues and recommendations raised in the Secretary-General's report of September 1999.

It was under Canadian leadership a little over a year ago that Council attention was refocused on the issue of protection of civilians. We want to commend Canada for its initiative in holding this follow-up meeting and for its firm commitment to pursuing this very specific aspect and dimension of the more general and, I would say, still-evolving concept of human security.

The Secretary-General's report and also the statements we have heard from others today underline that strengthening protection for civilians requires a multi-dimensional approach, addressing legal and physical assurances, conflict prevention and post-conflict peace-building activities.

It is clear that Member States, the United Nations and regional bodies must all focus more attention on ways of improving implementation and enforcement of existing humanitarian and human rights laws and norms, including the Geneva Conventions — particularly the fourth — and the 1977 Additional Protocols, and of promoting observance of these instruments at all levels. This means support for efforts to develop consistent national laws. It also means support for efforts to develop national institutions to disseminate laws of armed conflict through education and training, both of armed forces and of civilian administration, and for monitoring and enforcement of laws.

Strengthening the legal protections for civilians also involves ensuring adequate recourse to justice where violations have taken place. We have heard many speakers address this issue, but it is certainly vital that we have effective institutions to bring to justice perpetrators of crimes against humanity. It is for this reason that Australia welcomed the establishment of the

special tribunals and views the International Criminal Court as a particularly powerful instrument in this regard. It reinforces the obligations of States to investigate and to prosecute those responsible for major violations; and, where no State is able or willing genuinely to do so, it provides a mechanism for the investigation and prosecution of crimes.

In our view, more emphasis needs to be placed on developing and implementing concrete measures to improve the physical security of civilians caught in conflict situations, with particular attention to be given to the vulnerable groups of women, children and displaced persons. Those measures should include greater use of preventive action, increased use of the specific mechanisms for the protection of civilians provided for in international humanitarian law instruments, increased use of United Nations Charter provisions to investigate conflict situations and, as a last resort, sanctions targeting delinquent parties, but — as we discussed earlier this week in another equally welcome open debate — such measures should be tailored to minimize adverse impact on the civilian population.

Another important component is the sustained use of political and diplomatic pressure to ensure that parties guarantee access for civilians to humanitarian assistance and necessary protection for United Nations and related personnel, the International Committee of the Red Cross, and humanitarian relief workers. Although humanitarian relief workers are entitled to the same protection as civilians, their operations — we have all acknowledged — make them especially vulnerable to attack in conflict situations. We look forward to the Secretary-General's comprehensive report on the safety and security situation of humanitarian personnel, when it is submitted during the fifty-fifth session of the General Assembly, and beyond that to further international cooperation in enhancing the protection of those humanitarian workers who are not specifically protected under current international humanitarian law instruments or under the Convention on the Safety of United Nations and Associated Personnel.

There is also scope for the international community to improve the physical security of civilians through its peacekeeping activities. Australia supports the Secretary-General's recommendations to include explicit provisions for the protection of civilians within United Nations peacekeeping mandates where warranted and where the United Nations missions are provided with the resources to fulfil those responsibilities. In this context, it is especially important that United Nations peacekeeping mandates be clearly and realistically defined, in terms of

both responsibilities and objectives. Where peace enforcement powers are entrusted to United Nations operations, they must be backed up with the necessary resources.

The International Force in East Timor (INTERFET) demonstrated that a well-equipped, mobile force can have an immediate, positive impact on the physical security of civilian populations, as well as perform a critical, longer-term deterrence function. INTERFET benefitted from a robust mandate that left no question as to its authority to enforce peace if required, and from strong support from the international community.

The capacity for rapid deployment and force projection are essential to peacekeepers' ability to stabilize conflict situations and to extend protection to civilians. Australia considers that the recent report of the Special Committee on Peacekeeping Operations contains a number of useful ideas and suggestions on how the United Nations capacities in these areas might be improved, and we look forward to opportunities to consider those ideas and suggestions further.

But effectively maintaining peace — and in so doing guaranteeing the security of civilians — also requires confidence-building measures at the grassroots level to defuse tension and confrontation and to lay the groundwork for political reconciliation. Here, we believe Australia's experience in the Peace Monitoring Group in Bougainville, in company with other South Pacific countries, offers some lessons. The role of the Peace Monitoring Group has largely been one of building confidence between parties and ensuring continued commitment to peaceful settlement of the dispute.

Australia supported the provisions of the draft resolution before the Council today on the protection of civilians. Its welcome adoption will represent another important step in the Council's ongoing efforts to enhance international security, not only in the broad geopolitical sense but in a very practical way that can benefit people right down to the village level. That is to say, to benefit the ordinary citizens and civilians whose safety and well being is the subject of today's open debate.

The President: I thank the representative of Australia for her kind words addressed to my delegation.

The next speaker inscribed on my list is the representative of Colombia. I invite him to take a seat at the Council table and to make his statement.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): My delegation would like to express its appreciation to your country, Canada, and to you in particular, Ambassador Fowler, for your dedication and your dynamism during the Council's intensive work this month.

Likewise, we want to thank the members of the Council for giving us this opportunity to participate in this important debate. The Council has on various occasions drawn attention to the difficult and often distressing situation of civilians in armed conflict. We attach great importance to the recommendations made by the Secretary-General to strengthen the physical and legal protection of civilians in armed conflict, and we believe that the scope of those recommendations should be examined exhaustively by the General Assembly.

Actions motivated by political, ethnic or religious hatred often disregard fundamental principles of humanity and are therefore challenges to individual conscience and to the collective feelings of nations. The millions of persons caught against their will in the crossfire of current armed conflicts are rightly a source of concern for the international community. As we were reminded last year by the campaign of the International Committee of the Red Cross, even wars have limits. The Committee's humanitarian work deserves our appreciation and support.

My country joins others who have spoken in this debate to reject and condemn the use of prohibited methods of combat in internal conflicts, particularly the actions of some non-State actors against civilian populations — such as the taking of hostages for the purpose of extortion, indiscriminate attacks against civilians and civilian installations and the use of hunger as an instrument of war. But will the outcry of the international community be heard?

Among the recommendations for the protection of civilians that are before the Council, we wish to underscore a few that we consider indispensable to preventing future conflicts and sparing civilian populations further suffering.

With regard to small arms and light weapons, we believe that the Security Council must adopt a more forceful attitude to that illegal traffic, when considering current armed conflicts. This phenomenon is linked to transnational criminal organizations which use money

laundering as a means to internationalize violence. The availability of these weapons in areas of conflict fuels a spirit of discord and is a direct cause of the loss of many civilian lives. For that reason, my country has been advocating stricter control of the international arms trade in the framework of preparations for next year's conference.

With regard to the recruitment of minors, our delegation believes that under no circumstances should children participate in war. We are pleased to note the agreement reached at the beginning of the year regarding the protocol on the participation of children in armed conflict. The Government of Colombia categorically ruled that no person younger than 18 years of age can serve in the national armed forces and encourages other countries to adopt the same age limit for recruitment. We also condemn the use of minors in the ranks of irregular armed groups in all parts of the world, and we appeal for a united attitude of rejection of this practice.

We underscore the constructive approach of promoting confidence-building measures among the parties involved in internal conflicts, with the active participation of civilian society in this process. This is an approach that is useful either at the beginning of conflicts or in the peace-building stage. We hope that it will be possible soon to have the handbook of good conduct in the field, the publication of which has been announced.

Regarding coercive measures against massive and ongoing abuses, the Secretary-General presented to the Council several criteria for the adoption of coercive measures in cases of internal conflicts that present grave violations of human rights and international humanitarian law. We believe that the United Nations must act with prudence and extreme care in this field in order not to undermine principles of international law that are firmly established, and without which we might be cast into great confusion. We express our strong preference for examining situations carefully on a case-by-case basis and to use procedures for cooperation among States before resorting to sanctions mechanisms.

On 9 April 2000, the Ministers for Foreign Affairs of the non-aligned countries, meeting in Cartagena at the thirteenth Ministerial Conference of the Non-Aligned Movement, addressed the question of the erosion of respect for the norms and principles of international humanitarian law and the question of the considerable increase in the number of refugees and displaced persons caused by conflict situations. On that occasion, among

the various measures adopted, the Ministers appealed to the parties to a conflict to respect international humanitarian law and human rights law and to ensure the safety, security and protection of humanitarian personnel. They also advocated greater international financial efforts to help the victims of humanitarian emergencies and reaffirmed the distinction that must be made — a vital one — among actions of a humanitarian nature, peacekeeping or peacemaking operations and operational activities for development.

My country agrees with what was expressed by the Ministers of the Non-Aligned Movement. It welcomes the measures to be adopted by the Security Council today and reiterates that other organs of the United Nations should also broadly consider the various means of strengthening the protection of civilians in armed conflict.

The President: I thank the representative of Colombia for his kind words addressed to my delegation.

The next speaker inscribed on my list is the representative of New Zealand, whom I welcome back to the Council. I invite him to take a seat at the Council table and to make his statement.

Mr. Powles (New Zealand): Exactly one week after the Secretary-General presented his report of 8 September 1999 on the protection of civilians in armed conflict, the Security Council authorized the deployment of a multinational force to East Timor to restore peace and security. In the days leading up to this decision the media had conveyed shocking images of violence against civilians and their large-scale dislocation by the militias in a pattern of reprisal following the United Nations-conducted popular consultation. Members of the Council, under the leadership of Ambassador Andjaba of Namibia, travelled to Dili to assess the situation at first hand and to report to the Council.

The speed and effectiveness of the Council's response in the case of East Timor was exemplary and sets a benchmark for the future discharge by the Council of its key role in combating the deliberate targeting of civilians. New Zealand, for its part, along with many other countries represented in this Chamber, contributed promptly to the multinational force authorized by the Council and continues to participate in the successor United Nations peacekeeping operation through what is our largest deployment overseas in nearly 50 years.

In the interval since the Secretary-General's report on the protection of civilians in armed conflict we have also been reminded of our failures. Last Friday we heard Mr. Ingvar Carlsson, former Prime Minister of Sweden, brief the Council on the findings of the Independent Inquiry into the failure of the international community to prevent the systematic slaughter of some 800,000 people in Rwanda in 1994. And the Secretary-General himself provided last November his own report on the fall of Srebrenica.

We welcome the fact that the Council has taken the initiative, through the establishment of its informal Working Group, to take the matter of the protection of civilians in armed conflict yet a stage further in accordance with its responsibilities under the Charter, and we strongly endorse action on today's draft resolution. By this draft resolution the Council clearly indicates that it intends to keep the question firmly at the fore of its agenda.

When heads of State or Government gather here in New York in early September for the Millennium Summit, we believe the international community will be presented with an unparalleled opportunity to make further progress collectively. The Secretary-General's millennium report offers valuable guidance on the protection of the vulnerable. The Secretary-General notes in particular the need to reassert the centrality of international humanitarian and human rights law.

I think it is generally agreed that current humanitarian law includes all the necessary principles and basic rules to guide us. There is some further work to be done in specific areas, but the fundamental principles are well established and incontrovertible.

In the last few months the international norms have been further developed in the child soldiers optional protocol to the Convention on the Rights of the Child. Children are one of the most vulnerable groups in any society. As the Secretary-General and others have noted, they are often among the worst affected in a conflict situation. They will also bear the scars of conflict into their adult years, not just through injury and trauma, but through lost opportunities to gain an education and to grow up in normal social surroundings. This can lead to the perpetuation of a culture of conflict. It is crucial that special measures be taken to protect children from the effects of armed conflict, and to prevent them from participating.

The optional protocol's focus on the demobilization, rehabilitation and reintegration of child soldiers recognizes that, in tandem with legal safeguards, practical action is required to protect children from the effects of conflict. The recent appointment of child protection advisers in United Nations peacekeeping missions in Sierra Leone and the Democratic Republic of the Congo is a welcome development in this regard.

As the Secretary-General has pointed out, the problem of protection of civilians lies not so much in the absence of law as in the refusal of belligerents throughout the world to respect that law. The most urgent need is to create a "climate of compliance" with international law. At present the lack of effective enforcement mechanisms means that an essential component is missing. We hope that this will change in the near future with the establishment of a permanent International Criminal Court.

The recent experience of the International Criminal Tribunals for the former Yugoslavia and Rwanda illustrates the potential of the International Criminal Court. Over the last year there have been a number of arrests and convictions in both Tribunals. These confirm that international criminal tribunals can and do work. However, their importance goes beyond dealing with past events in those particular countries. They serve notice that the international community is serious in its resolve to bring perpetrators of atrocities against civilians to justice and to put an end to the climate of impunity. We look forward to the outcome of the Indonesian Government's investigation into violations of human rights in East Timor and to the holding of those responsible for such violations fully accountable under the law.

New Zealand is firmly committed to ratification of the Rome Statute of the International Criminal Court. It will shortly introduce legislation to Parliament to implement various obligations contained in the Statute, and New Zealand hopes to be in a position to ratify the Statute within the next few months, once that legislation has been passed.

At the same time, my Government has decided to create new offences of genocide, crimes against humanity and war crimes. There will be universal jurisdiction for these offences which will allow the prosecution in a New Zealand court of a person who is not a New Zealand national and who did not commit the offence in New Zealand. It is intended that these offences will come into force on the passage of the legislation, which will mean that New Zealand will be in a position to institute

prosecutions in its courts from an early date. This is particularly important in the period before the International Criminal Court comes into existence.

New Zealand urges other countries to accelerate their ratification processes so that the International Criminal Court can be established in the near future. This would seem a most appropriate way to signal that the new millennium is also the beginning of a new phase in international criminal justice.

New Zealand also strongly supports the extension of the 1994 Convention on the Safety of United Nations and Associated Personnel to cover a broader range of personnel and a greater variety of United Nations missions. We saw the danger that some of those working with the United Nations came under in East Timor. Abduction and murder of humanitarian workers takes place too regularly in arenas such as Chechnya. The targeting of these dedicated people, who are often working in extremely difficult circumstances to bring relief to the civilian population, is cynical and brutal, and we should do all in our power to have it stopped. We look forward to the report of the Secretary-General, due in May 2000, that will include recommendations addressing the scope of legal protection under the Convention. That report will set the tone for future debate on the topic and act as a fresh stimulus towards concrete action on expansion of the Convention's scope.

The violation of the rights and freedoms of internally displaced persons is not necessarily separately covered in international law. Nevertheless, such people are of course covered by international human rights law. States have no excuse for not following these principles and the legal guidance based on them, contained in the Guiding Principles on Internal Displacement.

Finally, the importance of the separation of combatants and other armed elements from civilians in refugee camps has been starkly demonstrated on numerous occasions, including in the Great Lakes region of Africa and in Timor. Safety and humanitarian relief cannot be assured without it, and arrangements for repatriation can be seriously hampered when militias exert power over displaced people. Coupled with this is the need to ensure access for civilian populations to sources of humanitarian assistance. The diversion or withholding of relief supplies as a means to political ends is contrary to the principles of humanity and should attract appropriate sanctions.

We are grateful for the opportunity to have spoken on these important matters in the Security Council today, and we look forward to the Council's continuing to carry out its key leadership role.

The President: I thank the representative of New Zealand for his kind words addressed to me.

The final speaker inscribed on my list is the representative of Indonesia. I invite him to take a seat at the Council table and to make his statement.

Mr. Wibisono (Indonesia): My delegation wishes to extend its congratulations to you and the delegation of Canada on your assumption of the presidency of the Security Council for the month of April. We remain confident that under your able guidance, the issue before us will be brought to a successful conclusion. May I also extend our felicitations to your predecessor, Ambassador Anwarul Karim Chowdhury of Bangladesh, for his skilful stewardship of the Council's activities last month. We would also like to join other delegations in expressing our appreciation to the Secretary-General, Mr. Kofi Annan, and to the President of the International Committee of the Red Cross, Mr. Jakob Kellenberger, for their statements earlier this morning.

It is one of the tragic ironies of the contemporary world that despite the adoption of numerous conventions on international humanitarian and human rights law during the past five decades, which uphold the rights of civilians and the obligations of combatants during conflict situations, civilians have become the targets of brutality, terror and indiscriminate killing. It is particularly unconscionable that women and children are also victims of atrocities. Such dire situations call for a multifaceted approach that would provide legal and physical protection to civilians during hostilities.

The report of the Secretary-General contained in document S/1999/957 enumerates a number of measures to strengthen both these aspects of protection. Their adoption and implementation would compel the parties to a conflict to respect the rights guaranteed to civilians under international law and conventions. Despite the coming into force of a comprehensive framework of international humanitarian and human rights law, the rights of civilians have often been violated. Hence, their implementation is of utmost importance in ensuring the safety and security of the civilians, which are their inherent rights.

In those endeavours, it is equally important to acknowledge that international law does not take precedence over national law and legislation, while a balance must be sought to harmonize the sacrosanct principle of national sovereignty with the provisions of the United Nations Charter. It follows that any action or intervention must necessarily be based on the consent of the States concerned, rather than unilateral imposition. Indonesia is gratified to note that in some of the conflict areas dealt with by the Council, respect for sovereignty and territorial integrity was reaffirmed. At the same time, Indonesia is also saddened to learn that an absence of respect for sovereignty and territorial integrity remains obvious in a country which now continues to experience internal conflicts.

Our attention is also drawn to the need for monitoring, addressing and understanding the root causes and implications of conflicts in order to facilitate the consideration of options and to prevent the outbreak of violence. As peace and stability and socio-economic development are interlinked, close cooperation and coordination between the General Assembly, the Security Council and the Economic and Social Council would facilitate a comprehensive approach to these multifaceted issues. In this context, it is pertinent to note the communication from the President of the Security Council addressed to the President of the General Assembly, contained in document S/2000/119 of 14 February 2000, which sought the Assembly's views on the strengthening of the Organization's capacity to plan and deploy rapidly and the modalities to mobilize international support for security forces from Member States.

Finally, Indonesia, while regretting the lack of consultations with the Special Committee on Peacekeeping Operations, welcomes the Secretary-General's Bulletin on the guidelines on compliance with international humanitarian law by United Nations peacekeepers. We believe that such guidelines can help promote not only the safety and security of the United Nations peace troopers but also the safety and security of the civilians.

In sum, we agree that the plight of civilians in armed conflicts can no longer be neglected and can be dealt with only within a comprehensive framework of action. Let me express Indonesia's unequivocal support for the role of the United Nations in humanitarian activities and for the Organization's consistent

commitment in upholding international humanitarian and human rights law.

The President: I thank the representative of Indonesia for the kind words he addressed to me.

It is my understanding that the Security Council is ready to proceed to the vote on the draft resolution (S/2000/335) before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands,

Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1296 (2000).

There are no further speakers on my list.

The Security Council, having offered its President great flexibility and generous support, has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 5.55 p.m.